



8th COUNCIL OF EUROPE CONFERENCE OF MINISTERS RESPONSIBLE FOR MIGRATION AFFAIRS

Kiev, 4-5 September 2008

**Economic migration, social cohesion
and development: towards an integrated approach**



**IMPLEMENTATION
OF THE HELSINKI PLAN OF ACTION
(2002 – 2008)**

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(2002 – 2008)

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INTRODUCTION

The 7th Conference of European ministers responsible for migration affairs took place in Helsinki at the invitation of the Finnish government on 16-17 September 2002. The theme of the conference was, *Migrants in our societies: policy choices in the 21st century*. In their final declaration, the ministers recommended that the Committee of Ministers implement a Plan of Action (the “Helsinki Plan of Action”). Following the conference, the Committee of Ministers instructed the European Committee of Migration (CDMG) to take account of the Plan of Action in its future activities.¹

This report describes the activities of CDMG and its Secretariat that have been undertaken between 2002-2008 in implementation of the Helsinki Plan of Action. It should be noted, however, that migration matters are dealt with by many other bodies of the Council of Europe on a permanent or *ad hoc* basis, and that these bodies have prepared numerous reports and recommendations and organised meetings on migration and issues relating to migration. These include, in particular, the Parliamentary Assembly Committee on Migration, Refugees and Population, the Human Rights Commissioner, the European Commission against Racism and Intolerance (ECRI) and the European Committee on Legal Co-operation. Where relevant to the Helsinki Plan of Action, their activities are also mentioned in this report.

The Helsinki Plan of Action set out the following objectives:

A. 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 NGOs;
- 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.

B. 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.

¹ 817th meeting of the Deputies of the Committee of Ministers, 20 November 2002 – report of the Secretary General: document CM(2002)163

C. 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).

D. 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.

E. 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)11rev) 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.

In May 2005, on the occasion of the 3rd Summit in Warsaw, the Heads of State and Government of the member states adopted an Action Plan that set out the principal tasks of the Council of Europe in the coming years. In 2006, the steering committees of the Organisation were requested to report on their progress in implementing this action plan in accordance with criteria established by the Committee of Ministers (relevance to core values and added value). In reply, CDMG prepared a synoptic table giving a combined analysis of the progress in implementing this action plan ("the Warsaw Action Plan") and the Helsinki Plan of Action. An updated version of this table is reproduced in Appendix X.

At its 52nd meeting (6-8 November 2006), and with a view to improving its effectiveness, the CDMG adopted a statement on its role and future activities. As this statement is relevant to how the committee has implemented the Helsinki Plan of Action it is reproduced in Appendix I.

Finally, a list of reports and Committee of Ministers recommendations prepared by CDMG or on its behalf appears in Appendix II. Several of these recommendations are reproduced in appendices III-VIII.

SECTION A

REGIONAL AND INTERNATIONAL CO-OPERATION

Several important initiatives, including the creation of a Political Platform of the Council of Europe on migration, were undertaken by CDMG following the Helsinki conference to promote regional and international co operation, all of which sought to involve non-member states – if possible at a formal level, and otherwise at an informal level through the participation of independent experts. Whilst it was possible to pursue multi-lateral activities in the form of conferences, meetings and workshops, it did not prove possible to translate them into programmes in the field such as co-operation agreements between origin and receiving countries or programmes to protect the rights of migrants in countries outside Europe. Such an extension of the activities of CDMG would have required, not least, a considerable increase in both staff and budget.

The North-South Centre of the Council of Europe in Lisbon became a significant new partner for CDMG during this period. Through co-operation with the North-South Centre – its formal title being, the European Centre for Global Interdependence and Solidarity, CDMG was able to draw on the Centre's established networks to bring in experts from non member states, in particular from Africa. The North-South Centre became an observer to CDMG in 2004.

Importantly, the regional and international co-operation initiatives of CDMG led, directly or indirectly, to the adoption of 3 recommendations of the Committee of Ministers in the areas of student migration, unaccompanied minors and co-development.

DIALOGUE AND PARTNERSHIP

The Political Platform of the Council of Europe on Migration

The Political Platform of the Council of Europe on Migration was set up to provide a forum for dialogue between member states and source countries of migration flows to Europe. Built upon the membership of CDMG, representatives of non member states were invited to discuss specific topics selected by the committee. The one-day sessions took place during the meetings of the committee. The non-member countries were selected on the basis of proposals from members of CDMG.

The Political Platform was required to:

- a. Initiate dialogue and explore the possibilities for improved co-operation at different levels depending on the issues under discussion between government structures and ministries, parliamentary assemblies, local authorities and non-governmental organisations from the participating countries;
- b. Identify migration challenges and explore the possibilities for orientating appropriate action and follow-up;
- c. Explore the possibilities for follow-up action to be undertaken by CDMG or other structures of the Council of Europe.

The Political Platform held six sessions during period 2003-2006 on the following topics:

Session I (Rotterdam, December 2003)

- The role of information and its contribution to the harmonized management of migration flows, and integration of migrants as a factor of development.

Session II (Strasbourg, May 2004)

- Student mobility and development.

The exchange of views during this 2nd session served as preparation for work of CDMG that led to the Committee of Ministers recommendation on the admission, rights and obligations of migrant students and co-operation with countries of origin (see Section E).

Session III (Strasbourg, November 2004)

- The situation of unaccompanied minors and undocumented children

The exchange of views in this session led to the organisation of a regional conference to further explore the issues (see below) and subsequently to a recommendation of the Committee of Ministers on life projects for unaccompanied migrant children (see Section D).

Session IV (Strasbourg, April 2005)

- Co-development between North and South and how countries of origin maintain links with their migrants

This session provided an opportunity to review the progress of a series of workshops organised in co-operation with the North-South Centre on migration and development (see below).

Session V (Athens, October 2005)

- The portrayal of images of migrants in the media and the information that should be made available in countries of destination in order to improve the reception of migrants.

Session VI (Strasbourg, November 2006)

- Challenges for countries of origin and Regional co-operation – Special focus on the Euro-Mediterranean region and West Africa.

Representatives of governments from the following non-member states took part in one or more of the sessions of the Political Platform: Algeria, Bangladesh, China, Egypt, India, Iran, Morocco, Pakistan, Philippines, Sri Lanka, Tunisia. In addition, experts from the following non member states took part in a semi-official or personal capacity: Kenya, Morocco, Senegal.

The terms of reference of the Political Platform expired at the end of 2007.

Regional conferences on migration

The 1st regional conference organised by CDMG took place in Athens 2001 on “irregular migration and dignity of the migrant”. Specifically cited in the Helsinki Plan of Action under the section on a comprehensive migration management strategy, CDMG decided to pursue the initiative and during the period 2002-2005, it organised five more regional conferences. These are listed below.

- Labour migration in Europe – an alternative to irregular migration (Sofia, October 2002);
- Migration in the Mediterranean (Malta, April 2003);
- Migration policies on the eve of the EU enlargement: what challenges for future co-operation within the Eastern European region (Kiev, October 2003);
- Migrants in transit countries: sharing responsibility for management and protection (Istanbul, September/October 2004);
- Migration of unaccompanied minors: acting in the best interests of the child (Malaga, October 2005).

The regional conferences provided an opportunity for dialogue and partnership on specific issues relating to migrants and migration at a regional level. They identified good practice, for example bilateral labour migration agreements (Sofia) and life projects for non accompanied minors (Malaga). Other conferences explored specific situations in a regional context, for example the problems faced by migrants trapped in transit and the cities hosting them. The regional conference in Malaga led to a Committee of Ministers recommendation on life projects for unaccompanied migrant minors (see section D).

South-East and Eastern Europe

A series of informal meetings with CDMG members, firstly, from South-East Europe and, secondly, from Eastern Europe took place between 2005 and 2007. The purpose of these meetings was to provide an opportunity for these members to identify together the challenges and priorities in the fields of migration and integration for their regions and for their individual countries. The meetings took place in Sofia, Skopje, Sarajevo, Zagreb, Budapest and Kiev.

The priorities identified by the experts and their national colleagues included the implementation of readmission agreements, return and reintegration (including internally displaced persons in the case of South-East Europe), trafficking, relations with diaspora, regional and interministerial co-operation. Their conclusions were presented to CDMG in May 2007 (South-East Europe) and May 2008 (Eastern Europe) and integrated into the committee’s proposals for future activities.

CO-OPERATION WITH OTHER REGIONS

Migration and North-South dialogue

In co-operation with the Council of Europe North-South Centre a series of technical workshops were organised in Lisbon during the period 2004-2006 on the theme of migration and co-development. The 5 workshops dealt with separate aspects of the link between migration and co-development bringing together technical experts from both Europe and the South, in particular, Africa. The themes of the workshops were:

- Migrants: actors and partners in development, here and there (April 2004);
- Role of local authorities (December 2004);
- Migrants: economic players in the development of their countries of origin (March 2005);
- Financing co-development (October 2005);
- Co-development and democracy (May 2006).

Experts from the following countries took part in the workshops. From the North (Europe): Armenia, Belgium, Denmark, France, Germany, Greece, Netherlands, Portugal, Slovakia, Spain, United Kingdom. From the South: Algeria, Benin, Cape Verde, Congo, Egypt, Guinea Bissau, Kenya, Mali, Mauritania, Morocco, Nigeria, Senegal and South Africa. Moreover, it should be noted that many of the technical experts from European countries were fully integrated migrants from Africa or representatives of NGOs working on development projects in Africa.

The technical workshops served as an important preparatory framework for the work of CDMG that led to the Committee of Ministers recommendation on co-development and migrants working for development in their countries of origin as well as for other activities of the committee on the link between migration and development (see Section E).

CO-OPERATION WITH INTERNATIONAL ORGANISATIONS AND NGOS

The European Committee on Migration

As indicated in the statement on the role and future activities of CDMG (Appendix I), the committee provides a European forum for the exchange of information and ideas with a view to improving policy and practice in the member states. Every opportunity is given to the observer organisations to participate in the plenary meetings of the committee and in its activities, in particular in the preparation of new policy recommendations.

A particular effort has been made to involve civil society, especially migrants' organisations or organisations working for migrants. As a result of the decisions taken at the 3rd Summit of Heads of State and Government of the member states (Warsaw, May 2005), the Council of Europe International Conference of NGOs is now a participating body in CDMG.

The European Union, in particular the Commission, also participates in the work of CDMG.

The following organisations have observer status in CDMG: International Labour Office (**ILO**), United Nations Education, Scientific and Cultural Organisation (**UNESCO**), Organisation for Economic Co-operation and Development (**OECD**), International Organisation for Migration (**IOM**), European Free Trade Association (**EFTA**), Organisation for Security and Co-operation in Europe (**OSCE**), Office for Democratic Institutions and Human Rights (**ODIHR-OSCE**), United Nations High Commissioner for Refugees (**UNHCR**), Budapest Group (charged with the follow-up of the European Conference on Uncontrolled Migration), European Trade Union Confederation (**ETUC**), BUSINESSEUROPE (formerly the Union of Industrial and Employers' Confederations of Europe), Churches' Committee for Migrants in Europe (**CCME**), and International Catholic Migration Commission (**ICMC**).

In February 2008, two new observers were admitted to the CDMG, the International Federation of Red Cross and Red Crescent societies and the European Federation of Administrative Judges.

SECTION B

DEMOGRAPHIC DIMENSION OF MIGRATION

The Helsinki Plan of Action proposed undertaking work to develop a long term perspective of migration and statistical surveys in order to better understand the dynamics of migration movements and migrant populations as well as labour market needs. It also referred to facilitating and harmonising data on the characteristics of immigrant populations. CDMG was unable to undertake specific activities in this area, although for part of the period under review the annual reports on trends in international migration continued to be published.

Trends in International Migration in Europe

An annual report on trends in international migration in Europe has been produced since the 6th Conference of European Ministers responsible for migration affairs (Warsaw, June 1996). The reports include statistics and analysis on stocks and flows of foreign population, labour migration, asylum, migration of expertise and irregular migration. They provide an independent analysis of recent data on migration flows of benefit to national policy-makers, academics and other independent commentators as well as to the Council of Europe. The series was interrupted in 2006 for budgetary reasons and the sun-setting of the linked Demographic Year book of the European Population Committee.

Studies of the European Population Committee

The following studies relevant to the Helsinki Plan of Action were prepared under the auspices of the European Population Committee:

- The demographic characteristics of immigrant populations, 2002 (N° 38),
- International labour migration, 2004 (N° 44).

SECTION C

INTEGRATION POLICIES

A seminar, entitled *Focus on integration: interactions in the community and workplace* and organised by the Netherlands² on the occasion of the 46th meeting of CDMG (Rotterdam, 8-10 December 2003) provided an opportunity for CDMG members to meet with Dutch national and local policy-makers and discuss with them current and emerging challenges in the field of integration and community relations. Three parallel workshops discussed the specific topics of introductory programmes, urban policy and labour market participation. The exchanges during the seminar provided a basis for subsequent work undertaken by CDMG on the integration of migrant children and integration of migrants into the labour market.

In 2007, CDMG also contributed to the Council of Europe's White paper on Intercultural dialogue with a report on the place of intercultural dialogue in the integration of migrants and community relations policies. Its contribution highlighted the need for intercultural dialogue to take place at all stages of the integration process.

Earlier work of CDMG on the preparation of indicators to measure the effectiveness of integration policies was continued.

NEW INTEGRATION POLICIES

Children of migrants and of immigrant origin

Recommendation Rec(2008)4 of the Committee of Ministers to member states on strengthening the integration of children of migrants and of immigrant background was adopted on 20 February 2008 after approval by CDMG in October 2007. The full text is reproduced in Appendix VII.

Member states are recommended to introduce into their policy and practice measures to improve the integration of newly-arrived children of migrants into the educational system, provide children of migrants with adequate language skills at a preschool level, prepare children of migrants and of immigrant background approaching school-leaving age for a successful transition from school to the labour market, and overcome the difficulties faced by these children living in segregated areas and disadvantaged areas. Detailed guidelines on how member states might apply the recommendation are included in an appendix. These guidelines cover the following topics:

- language learning,
- staff recruitment and development (teachers, social and health workers and other professionals working with migrant children and children of immigrant background),
- human rights, democratic citizenship and diversity in schools,
- integration of migrant children and children of immigrant background into school life,

² The Ministries of Justice and of the Interior and Kingdom Relations of the Netherlands.

- the role of civil society and migrants' associations in supporting the integration of migrant children into school life and society,
- support for parents of migrant children,
- facilitating the transition from school to work,
- the specific problems faced by children of migrants and immigrant background living in segregated and disadvantaged areas.

A training manual is being prepared to assist professionals responsible for delivering relevant services at local level. It is planned that the training manual will be completed and approved by CDMG in 2009.

Access to employment and the labour market, and working conditions

Recommendation Rec(2004)2 of the Committee of Ministers to member states on the access of non-nationals to employment in the public sector was adopted on 24 March 2004 after approval by CDMG in December 2003. The full text is reproduced in Appendix III.

This recommendation requests member states to facilitate the access of migrants to public sector employment, referring specifically to the various international treaties and declarations that apply to the employment of migrants, and highlighting that public services have a particular responsibility to set an example in their own employment practices. It recommends initiatives to promote diversity and the hiring of migrants, as well as an end to discrimination in the areas of recruitment (inappropriate recruitment on language skills, etc), promotion, employment conditions and salaries. Although it recognises that there are some posts that might not be appropriate for migrants to occupy, such as those concerning national security, it urges states to examine its nationality requirements for various posts and, when possible, to make more jobs open to migrants. It emphasises that there are some posts where the presence of migrants can be of particular benefit to the immigrant population.

Recommendation Rec(2008)10 of the Committee of Ministers to member states on improving access of migrants and persons of immigrant background to employment was adopted on 10 July 2008 after approval by CDMG in May 2008. The full text is reproduced in Appendix VIII.

This recommendation requests member states to review the effectiveness of relevant policy and practice in their countries and establish an effective system of evaluation and efficiency control. The recommendation concerns legally resident migrants with access to employment and persons of immigrant background.

An appendix provides guidelines and policy proposals on different topics, such as diversity and non-discrimination in labour markets, the use of labour market partnerships, the importance of information and awareness raising, as well as labour market entry and re-entry policies, recruitment policies and career development.

Roma and Travellers

Roma and Travellers represent a particularly vulnerable population in Europe with specific needs. It is, therefore, relevant to mention briefly the work undertaken by the Committee of Experts on Roma and Travellers (MG-S-ROM) under the auspices of CDMG during the reference period of this report in developing policies to promote respect for their human rights and dignity as well as access to their rights.

Since 2002, the Committee of Ministers has adopted 4 recommendations prepared by MG-S-ROM after approval by CDMG. These are:

- Movement and encampment of Travellers in Europe (Rec(2004)14), adopted on 1st December 2004
- Improving the housing conditions of Roma and Travellers in Europe (Rec(2005)4), adopted on 23 February 2005,
- Access to health care for Roma and Travellers in Europe (Rec(2006)10), adopted on 12th July 2006, and
- Policies for Roma and/or Travellers in Europe (Rec(2008)5) adopted on 20 February 2008.

EVALUATION AND MONITORING INSTRUMENTS

Integration indicators

Work continued, following the conference in Helsinki, on the development of indicators to measure both the effectiveness of integration policies and the level migrants' actual integration in the receiving country. The task was given to a committee of experts established by CDMG. The results of its work were presented to CDMG on the occasion of a mini-seminar at its 48th meeting (Strasbourg, 24-26 November 2004) in the form of a series of draft indicators covering eight basic spheres of migrants' life – employment, income, housing, health, nutrition, education, information and culture. Additional indicators were included to measure political and civic integration of migrants.

A trial using these integration indicators in Armenia took place during 2004 and the results were also presented to CDMG at the mini-seminar. The trial was applied to the integration of refugees in Armenia using the indicators in the areas of employment, health care and education. The Armenian authorities were satisfied with the relevance and effectiveness of the indicators that they had used.

The indicators³ are intended as a reference tool or guide for those responsible for developing integration policies for migrants in one or other of the eight spheres of life; for each of which, the indicators enable the setting of objectives in the short, medium and long term.

The purpose of the indicators is threefold. Firstly, to provide a common reference framework or instrument for use by all relevant social actors, whether public or private, in determining their policy choices. Secondly, to better integrate into policy development a proper understanding of general trends and the specific experiences of migrants. Thirdly, to provide relevant and flexible policy tools to evaluate the integration of migrants that can be adapted to different contexts.

³ Document MG-ID (2004) 5 rev.

It should be noted that in making comparisons between the integration outcomes of migrants and those of native members of the host society, it is important to compare like with like, that is, persons from the same socio-economic background; the more so in the context of highly sensitive issues such as unemployment, social protection and crime.

A methodological guide to the concerted development of social cohesion indicators including a shorter set of indicators relating to the integration of migrants was prepared and published by the Social Cohesion Development Division of the Council of Europe in 2005⁴. They are reproduced in Appendix IX.

⁴ Concerted development of social cohesion indicators: a methodological guide, Council of Europe Publishing, 2005 ISBN 92-871-5737-5

SECTION D

ACCESS TO MINIMUM RIGHTS

This part of the Helsinki Plan of Action was interpreted by CDMG as referring to irregular migrants. The term is used by CDMG in preference to “illegal” in order to underline that these migrants are human beings who possess fundamental rights despite their “illegal” or irregular status. In many cases, these migrants are lawfully present in member states and it is only their activity in the grey economy that renders them in breach of immigration control. Others, have entered irregularly but work and pay taxes and/or contributions. In addition to the work of CDMG, two other committees also undertook activities directly or indirectly relevant to this part of the Helsinki Plan of Action in co-operation with CDMG: the Committee of Experts on Legal Aspects of Asylum, Refugees and Stateless Persons (CAHAR)⁵ and the Committee of Experts on Standard-Setting Instruments in the field of Social Security (CS-CO)⁶.

Irregular migrants

A review of the access of irregular migrants to minimum social rights was undertaken by CDMG between 2003-2004 and the results published in 2005. The study examines, firstly, a series of rights in the light of relevant international human rights law and Council of Europe instruments as they relate to the legal protection of irregular migrants. They cover the following policy areas: housing, education, social security, health, social and welfare services, fair employment conditions and residence rights, and regularisation. Secondly, the study examines the obstacles to the access by irregular migrants to a minimum level of protection in respect of each right with reference to examples of law and practice in some Council of Europe member states. On the basis of this experience, the study concludes with a series of recommendations in each policy area. They outline the key principles that should govern – in the opinion of the author of the report – the access of irregular migrants to minimum social rights.

An exploratory report on the access of irregular migrants to social protection was also prepared for the Committee of Experts on Standard-Setting Instruments in the field of Social Security (CS-CO) in 2003⁷, the conclusions of which were drawn upon in the CDMG study.

Following the study on access to minimum rights, CDMG started a series of national reports to evaluate specific elements of national policies relating to irregular migrants. A first series, completed in 2006, reviewed the granting of access to social rights in Germany, key elements of the Greek policy to combat irregular migration, Italian policy in relation to irregular migrants in the labour market and shadow economy, and new policy initiatives in Russia. The series also included a review of the policies of Armenia to prevent irregular migration as a country of origin. A second series has started in 2008 with the following countries: France, Poland, Portugal, Spain and United Kingdom.

⁵ CAHAR has since been sun-set and its responsibilities transferred to the European Committee on Legal Co-operation (CDCJ).

⁶ CS-CO has since been replaced by the Committee of Experts on Social Security.

⁷ Document CS-CO (2004)3.

Two further general reports on irregular migration were published. Firstly, in 2003, a report of a seminar in November 2002 on new patterns of irregular migration in Europe. Secondly, a report entitled, “Preventing illegal immigration: juggling economic imperatives, political risks and individual rights” which seeks to propose solutions that balance the needs of social and economic policy and human rights.

Reconciling return policies with human rights

On 4 May 2005, the Committee of Ministers adopted a series of guidelines aimed at ensuring respect for international human rights standards by member states who return by force, rejected asylum seekers, overstayers or persons who have illegally entered the country. The 20 guidelines cover all stages of the return process from the identification of an irregular situation to the return itself. The guidelines, prepared by the Committee of Experts on Legal Aspects of Asylum, Refugees and Stateless Persons (CAHAR), offer practical advice on how member states can respect their international law obligations.

The guidelines were published with a commentary⁸. The 20 guidelines on forced return are:

- | | |
|--------|---|
| No. 1 | Promotion of voluntary return |
| No. 2 | Adoption of the removal order |
| No. 3 | Prohibition of collective expulsion |
| No. 4 | Notification of the removal order |
| No. 5 | Remedy against the removal order |
| No. 6 | Conditions under which detention may be ordered |
| No. 7 | Obligation to release where the removal arrangements are halted |
| No. 8 | Length of duration |
| No. 9 | Judicial remedy against detention |
| No. 10 | Conditions of detention pending removal |
| No. 11 | Children and families |
| No. 12 | Co-operation between states |
| No. 13 | State's obligations |
| No. 14 | Statelessness |
| No. 15 | Co-operation with returnees |
| No. 16 | Fitness for travel and medical examination |
| No. 17 | Dignity and safety |
| No. 18 | Use of escorts |
| No. 19 | Means of restraint |
| No. 20 | Monitoring and remedies. |

Unaccompanied migrant children

Recommendation Rec(2007)9 of the Committee of Ministers to member states on life projects for unaccompanied migrant minors was adopted on 12 July 2007 after approval by CDMG in May 2007. The full text is reproduced in Appendix V.

⁸ *Forced return : 20 guidelines and commentary*, Council of Europe Publishing 2005 ISBN 92-871-5809-6

The recommendation aims to improve the welfare of unaccompanied migrant children. It stresses the importance of placing the best interest of the child at the heart of all government policy and practice. Developing life projects for unaccompanied migrant children is the key policy approach advocated by the recommendation. It describes life projects as individual tools, based on a joint undertaking between the child and the relevant authorities for a limited duration, that define the child's future prospects, promote his or her best interests without discrimination and provide a long term response to its needs. Each project aims to develop the capacities of the child, allowing him or her to acquire and strengthen the necessary skills to become independent, responsible and active in society. The recommendation underlines that, in order to achieve this, life projects should seek to promote the social integration of the child, his or her personal development, cultural development, and access to housing, health, studies and vocational training, and employment.

The recommendation aims also to improve the capacities of member states to manage migration of unaccompanied migrant children. It underlines the role of co-operation between all involved countries and authorities.

SECTION E

COMPREHENSIVE MIGRATION MANAGEMENT STRATEGY

The 2000 report of CDMG, “*Towards a migration management strategy*”⁹, set out a migration management strategy based on the principles of orderliness, protection, integration and co-operation. Following the conference in Helsinki, CDMG devoted several activities to the ways and means of improving the quality of the co-operation between receiving and origin countries, and different aspects of this, including the role of migrants and their relations with their countries of origin. In this context the link between migration and development rapidly became an important connecting issue, reflecting a wider international interest in the topic. The Political Platform of the Council of Europe on migration and the regional conferences described in section A were also used as vehicles for bringing together receiving and origin countries and, also in some cases, countries of transit to discuss issues of common interest; and, thereby, strengthen their co-operation. Two policy recommendations of the Committee of Ministers resulted from this work.

ORDERLY MIGRATION, SOCIAL COHESION AND THE RIGHTS OF THE INDIVIDUAL

Challenges and priorities for countries of origin

A supplementary report to the strategy in “*Towards a Migration Management Strategy*” was approved by CDMG at its 51st meeting (Strasbourg, 19-21 April 2006) and subsequently published. The report provides details on how to achieve a more concerted dialogue between member states of destination and countries of origin (whether member states or source countries outside Europe) and, in particular, how to ensure that better account is taken of the needs and interests of the latter in the management of migration. It stresses the need for more equity in the relations between countries of origin and destination, with a greater emphasis on treating governments of origin countries as equal partners. Moreover, the report highlights how improved recognition and treatment of the challenges for countries of origin, and improved co-operation with these countries will provide benefits for countries of immigration and more generally for the management of migration.

Several new factors are identified by the report as further reasons for improving co-operation. These are (i) the emergence of new flows or new types of mobility, (ii) new conceptions of migratory movements – from linear to spatial concepts, (iii) the need for closer North-South and East-West co-operation, and (iv) the need to reaffirm human rights principles to counter international and internal security pressures.

⁹ Document CDMG (2000) 11 rev. Published, Council of Europe, 2003.

The report was prepared by government experts of member states that are or were recently emigration countries: Albania, Armenia, Azerbaijan, Greece, Moldova, Portugal, Romania and Turkey. They identified nine priority areas of particular importance for the countries of origin and emigration, namely:

1. Labour migration,
2. Migration of the highly skilled (“skills haemorrhage”),
3. Women and migration,
4. Irregular migration,
5. Border controls and security,
6. Combating labour trafficking,
7. Economic and social integration,
8. Return, re-integration and readmission
9. Migration and development.

The analysis of each of these challenges concludes with a series of recommendations.

Migration and development

Recommendation Rec(2006)9 of the Committee of Ministers to member states on the admission, rights and obligations of migrant students and co-operation with countries of origin was adopted on 12 July 2006 after approval by CDMG in April 2006. The full text is reproduced in Appendix IV.

The recommendation proposes concrete steps linking the situation of foreign students with development issues in addition to specific measures relating to the status of migrant students in receiving countries (conditions of admission, residence permits, access to rights and employment opportunities). A special section is devoted to the issue of “brain drain” and to co-operation between countries of origin and destination.

Recommendation Rec(2007)10 of the Committee of Ministers to member states on co-development and migrants working for development in their countries of origin was adopted on 12 July 2007 after approval by CDMG in May 2007. The full text is reproduced in Appendix VI.

The recommendation provides a detailed policy framework for member states of the Council of Europe to ensure that programmes and co-development projects have a real and lasting effect on development in the countries of origin, in Europe or elsewhere. The recommendation invites member states to put in place policies to encourage and facilitate partnerships between actors in the countries of origin and countries of destination. For this purpose, it proposes a series of principles designed to support associations of migrants working on the social, economic, political and cultural development of countries of origin. The recommendation places particular emphasis on the co-operation and solidarity between countries of destination and countries of origin of migrants. It identifies the conditions necessary to be taken by countries of destination and countries of origin to promote co-development initiatives.

European Convention on the Legal status of Migrant Workers (ETS 93)

The European Convention on the Legal status of Migrants Workers is concerned with the principal aspects of the legal situation of migrant workers (recruitment, medical examinations and vocational tests, administrative formalities on exit and entry, travel, reception, residence and work permits, housing, family reunion, working conditions including dismissal and re-employment, the transfer of savings, social security, social and medical assistance, taxation and return). Additionally, the convention has the potential for promoting co-operation between countries of origin and destination through both co-operation on its application and bilateral agreements between the contracting parties.

During the reference period of this report, technical assistance with a view to promoting signature, ratification and application of the Convention was provided to the national authorities of Armenia, Azerbaijan, Moldova, Russia and Ukraine. The following member states have recently ratified the Convention: Albania (2007), Moldova (2006) and Ukraine (2007).¹⁰

INTEGRATION AT LOCAL LEVEL AND A NETWORK OF RECEIVING CITIES

CLIP, a European network of cities for local integration policies of migrants was launched in 2006 as a joint initiative of the Council of Europe Congress of Local and Regional Authorities, the European Foundation for the Improvement of Living and Working Conditions (Dublin) and the City of Stuttgart (Germany). The objective of this initiative is to stimulate the exchange of innovative ideas on local measures to integrate migrants and in so doing, bring together and strengthen links between European cities on integration issues. The first research module of the network has resulted in the publication of a report on housing and integration of migrants in Europe. The network consists of more than 25 cities.¹¹ CDMG participates in the network.

Another relevant initiative involving cities and the integration of migrants, is the Intercultural cities project – a joint initiative of the Council of Europe (Directorate of Culture and Cultural and Natural Heritage) and the European Commission. This initiative was launched in 2008.

¹⁰ The other members states that have ratified the Convention are: France, Italy, Netherlands, Norway, Portugal, Spain, Sweden, Turkey. 4 countries have signed but not ratified the Convention: Belgium, Germany, Greece, Luxembourg.

¹¹ These include, Amsterdam, Antwerp, Arnsberg, Breda, Brescia, Budapest, Copenhagen, Dublin, Frankfurt am Main, Izmir, Liège, Luxembourg, Marseille, Prague, Sefton, Stuttgart, Terrassa, Turku, Vienna, Wolverhampton, Zagreb.

APPENDICES

APPENDIX I

STATEMENT ON THE ROLE AND FUTURE ACTIVITIES OF THE EUROPEAN COMMITTEE ON MIGRATION (CDMG)¹

General – the role of the Council of Europe and its contribution to co-operation on migration and the welfare of migrants

i. The special contribution that the Council of Europe makes to migration issues in Europe arises from :

- The recognized role of the Council of Europe in the safeguard and promotion of human rights;
- The important normative (standard-setting) framework of the Council of Europe in the field of migration² and the role of this framework in protecting the rights of migrants, their families and descendants;
- The competence of the Council of Europe to make recommendations to governments on drafting new laws and changing existing laws, policies and practice;
- The strong political dimension of the work of the Council of Europe and its capacity to develop co-operation between governments, parliaments, local authorities and NGOs.

ii. The activities of the Council of Europe in the field of migration relate to the protection of the rights and interests of people involved in every stage of the migratory process, that is emigrants, returning migrants, immigrants, refugees, and persons of immigrant background.

iii. Other persons are also concerned by migration and to the extent that this is so they are also of interest to the work of the Council of Europe in this area; for example, members of host societies in their relations with migrants, members of societies of origin in their relations with emigrants and returnees, displaced persons and their descendants.

¹ Appendix II to the abridged report of the 52nd meeting of CDMG (document CM(2007)1).

² European Convention on Human Rights, European Social Charter, European Convention on the Legal Status of Migrant Workers and other Council of Europe treaties – for which see the publication “Collection of Treaties – Migration”, Council of Europe publishing 2002.

The European Committee on Migration (CDMG) and its field of competence

iv. The added value of CDMG as an intergovernmental committee dealing with migration issues to the work undertaken by the European Union and other international organisations arises from:

- The human rights approach of CDMG to migration issues;
- The membership of the Council of Europe that makes CDMG a unique European forum for dialogue and co-operation between countries of origin, transit and destination (East-West, East/East);
- The capacity of the committee to introduce into the planning and development of migration policies the often ignored individual dimension of migrants;
- The composition of CDMG that brings together uniquely in a single body policy experts from the many different national ministries with responsibilities in the migration field (integration, migration, social and labour affairs, internal affairs, foreign affairs) thereby giving it the potential to develop holistic and coherent policies;
- The technical character of the work of the committee based on intergovernmental co-operation and investment by its members rather than outsourcing.

v. The task of CDMG (given to it by the Committee of Ministers) is to develop European co-operation on migration, on the situation and integration of populations of migrant origin and refugees and on community relations.

vi. CDMG is a steering committee and, therefore, within its area of competence it plans, monitors and evaluates activities. It also advises the Committee of Ministers and the Secretary General on priorities and other matters of relevance.

vii. The area of competence of CDMG is broad and gives rise to three poles of activity: (a) integration and community relations, (b) migration management and (c) the legal status of migrants. These are not, however, exclusive fields of activity. More often than not particular issues are relevant to more than one pole. The breadth of its field of competence implies the need for expertise from different ministries in the member states (in particular, foreign affairs, internal affairs, social and labour affairs, integration and migration departments).

viii. Activities undertaken by CDMG, within its area of competency, pursue the core objectives of the Council of Europe; that is, preserve and promote human rights, democracy and the rule of law. CDMG focuses its attention on issues directly linked to the human rights of migrants (for example, their rights as individuals; civil and political rights, social and economic rights; membership and participation in society, contribution to their societies; respect for their double/multiple cultural identity and ties).

ix. CDMG has a particular interest in promoting community relations and the interests of immigrants. Through its expertise in this area it has also been given responsibility for keeping under review the situation of Roma and Travellers in Europe and developing policy and practice aimed at promoting their rights.

The role and activities of CDMG

x. CDMG provides a European forum for the exchange of information and ideas with a view to improving policy and practice (including legislation) in the member states. This exchange of information leads to guidance (in the form of recommendations and policy documents) and targeted dissemination and assistance to member states on implementing its guidance (to policy-makers and, in particular, to service providers at local level as it is this latter group that has direct contact with migrants).

xi. CDMG should increase its work on policy advice through the preparation of recommendations. In choosing themes for its recommendations, CDMG should be proactive and aim to address current and emerging migration issues. The recommendations should offer innovative and practical advice on policy development and implementation. They should draw upon an analysis of practice in different member states and serve as a vehicle for the transfer of positive policy experience between member states. Consideration should be given to implementing selected elements of draft recommendations in member states with a view to testing the effectiveness of the proposed measures and boosting the interest of national authorities in the CDMG activities.

xii. Further work should be undertaken on the concepts and content of integration and community relations policies. In particular, more work should be undertaken to give effect to the principle of integration as a two-way concept, and to the notions of equality and the management of diversity. North-South, East-West dialogue and co-operation should also be pursued.

xiii. Finally, CDMG should be more forward looking in its work and take better account of the fact that culturally diverse societies are rapidly becoming the norm as a result of a prolonged and continuing era of mass migration. Many countries now have well developed integration policies or access to information on the essential principles and techniques. The future work of CDMG should meet the challenge of how to build common interests and shared values in order to strengthen social cohesion, particularly as volatile migratory movements often led to frequent changes to the composition of societies, especially at local level.

CDMG and its partners

xiv. CDMG is an intergovernmental body. However, the challenges of migration and of migrants need to be addressed from a holistic perspective that brings together governments, parliaments, local authorities and civil society. Therefore, in order to enrich its work CDMG encourages and facilitates the involvement of the relevant organs of the Council of Europe in its work – the Parliamentary Assembly, the Congress of Local and Regional Authorities, the Conference of International Non Governmental Organisations, and the European Centre for Global Interdependence and Solidarity (North-South Centre).

xv. Moreover, a greater involvement with local and regional authorities and of international NGOs working at local level with migrants will also improve the quality of the information and ideas that can be used by CDMG to inform its guidance to member states and to pursue its role in promoting the core values of the Council of Europe.

xvi. CDMG should develop effective co-operation with the European Union and other international organisations. CDMG should aim to become a valuable forum for the exchange of information on the activities of other organisations and thereby improve co-ordination and co-operation. Through active partnerships, particularly with ILO, OSCE and IOM, the CDMG should identify ways in which they can assist in the implementation of its policy recommendations. Moreover in order to make this co-operation more effective the members of CDMG should aim to improve co-ordination between members and their national counterparts working with other international organisations.

APPENDIX II

LIST OF RECOMMENDATIONS AND REPORTS PREPARED BY CDMG

Recommendations (adopted by the Committee of Ministers)

- Access of non-nationals to employment in the public sector (Rec(2004)2)
- Movement and encampment of Travellers in Europe (Rec(2004)14)
- Improving the housing conditions of Roma and Travellers in Europe (Rec(2005)4)
- Admission, rights and obligations of migrant students and co-operation with countries of origin (Rec(2006)9)
- Access to health care for Roma and Travellers in Europe (Rec(2006)10)
- Life projects for unaccompanied migrant minors (Rec(2007)9)
- Co-development and migrants working for development in their countries of origin (Rec(2007)10)
- Strengthening the integration of children of migrants and of immigrant background (Rec(2008)4)
- Polices for Roma and/or Travellers in Europe (Rec(2008)5)
- Improving access of migrants and persons of immigrant background to employment (Rec(2008)10)

Reports

- Proceedings of the 7th Conference of the European Ministers responsible for migration affairs (MMG-7 (2002)16)
- Current Trends in International Migration in Europe*, John Salt (annual reports 2002-2005)
- New patterns of irregular migration in Europe*, S de Tapia, 2003
- Proceedings of the Regional Conference, *Migration policies on the eve of the EU enlargement: what challenges for future co-operation within the Eastern European region*, Kiev, October 2003 (MG-RCONF(2003)6)
- Preventing illegal immigration: juggling economic imperatives, political risks and individual rights*, C-V Marie, 2004
- Proceedings of the Regional Conference, *Migrants in transit countries: sharing responsibility for management and protection*, Istanbul, September/October 2004 (MG-RCONF(2004)9)
- The legal status of migrants admitted for employment*, R Cholewinski, 2005.

Proceedings of the Regional Conference, *Migration of unaccompanied minors: acting in the best interests of the child*, Malaga, October 2005 (MG-RCONF(2005)27).

Irregular migrants: access to minimum social rights, Ryszard Cholewinski, 2006

Towards a migration management strategy: challenges for countries of origin, S. de Tapia/CDMG, 2006 (CDMG(2006) 11 final)

Policies on irregular migrants, Volume I: Italy and Germany, Volume II: Republic of Armenia, Greece, Russian Federation, Council of Europe Publishing, Strasbourg 2008

Reconciling migrants' well-being and the public interest: welfare state, firms and citizenship in transition, Council of Europe Publishing, Strasbourg 2008

The Euro-Mediterranean migration system, S. de Tapia, Council of Europe Publishing, Strasbourg 2008

Explanatory report on Recommendation Rec(2007)9 on life projects for unaccompanied migrant minors, Council of Europe Publishing, Strasbourg 2008

Explanatory report on Recommendation Rec(2007)10 on co-development and migrants working for development in their countries of origin, Council of Europe Publishing, Strasbourg 2008

APPENDIX III

Recommendation Rec(2004)2
of the Committee of Ministers to member states
on the access of non-nationals to employment in the public sector

*(Adopted by the Committee of Ministers on 24 March 2004
at the 877th meeting of the Ministers' Deputies)*

The Committee of Ministers, under the terms of Article 15.b of the Statute of the Council of Europe,

Considering that the aim of the Council of Europe is to achieve a greater unity between its members;

Recalling the 1950 Convention for the Protection of Human Rights and Fundamental Freedoms, and, in particular, its Article 8, which guarantees the protection of family and private life, its Article 14 which contains the principle of non-discrimination with regard to the rights granted, as well as the relevant case-law of the European Court of Human Rights;

Recalling the 1961 European Social Charter and the 1996 Revised European Social Charter, and, in particular, Articles 18 and 19, as well as the relevant conclusions of the Committee of Independent Experts;

Recalling the 1977 European Convention on the Legal Status of Migrant Workers;

Considering that important rights have been granted to migrants admitted for employment under the European Convention on Social and Medical Assistance and its Protocol (1953), the European Convention on Establishment (1955), the European Convention on the Legal Status of Migrant Workers (1977), the Convention on the Participation of Foreigners in Public Life at Local Level (1992), the Revised European Social Charter (1996) and the European Convention on Nationality (1997);

Having regard to Recommendation Rec(2000)15 of the Committee of Ministers to member states concerning the security of residence of long-term migrants, Parliamentary Assembly Recommendation 915 (1981) on the situation of migrant workers in the host countries, and Parliamentary Assembly Recommendation 712 (1973) on the integration of migrant workers with the society of their host countries;

Having regard to Parliamentary Assembly Recommendation 1187 (1992) on relations between migrants and trade unions, Resolution (76) 11 of the Committee of Ministers on equal treatment for national and migrant workers with regard to vocational guidance, training and retraining;

Considering that two European Committee on Migration (CDMG) reports on “Diversity and cohesion: new challenges for the integration of immigrants and minorities” and on “Framework for integration policies” have underlined that equal rights and opportunities are common values inherent to a democratic society and cultural diversity;

Bearing in mind the Final Declaration adopted at the 7th Conference of European Ministers responsible for Migration Affairs, held Helsinki in 2002;

Recognising that the presence of migrants and of foreign-born persons or persons with an immigration background with other/different linguistic skills and cultures can contribute greatly to strengthening the social cohesion of modern societies;

Recognising that the public services have a particular responsibility to take the lead and set an example in their own employment practices, and thus in encouraging other sectors to pursue open employment policies in respect to migrants/ethnic minorities;

Taking account of the legal framework which is currently being developed at the level of the European Union in order to implement a common migration policy, in compliance with the Treaty establishing the European Community as amended by the Treaty of Amsterdam and in accordance with the conclusions of the Tampere European Council,

Recommends that the governments of member states apply the following principles in their legislation and administrative practice:¹

I. Scope of application

1. For the purpose of this recommendation the term “public sector employees” applies to employees whose posts are funded partly or in full, directly or indirectly, from public funds at national, regional or local level.
2. This recommendation applies to non-nationals, including stateless persons, who are granted free access to the national labour market in the member state.
3. This recommendation does not apply to posts in the public sector that, according to national regulations, are reserved to nationals and necessitate:
 - a. the exercise of public authority;
 - b. a high level of responsibility to preserve important state interests;
 - c. the exercise of public authority and responsibility for safeguarding the general interests of the state, namely "national security" and "state secrets".

II. Action plans

1. Member states should elaborate policies/action plans promoting the access of non-nationals to employment in the public sector which encourage them to apply for positions by:
 - a. providing the migrant population with necessary information and by publishing specific job advertisements in journals which are likely to be read by them;
 - b. developing easily accessible systems to identify equivalent qualifications;
 - c. applying more flexible rules when assessing foreign qualifications or diplomas, provided foreign nationals have appropriate qualifications for the position and subject to the provisions of section I;
 - d. promoting access to professional training;
 - e. opening traineeship for applicants with an immigrant background.
2. Member states should ensure equal treatment with regard to recruitment, promotion, employment conditions and salaries by adopting management strategies related to diversity in their human resources policies.

¹ Switzerland made the following reservation on the adoption of this recommendation: in Switzerland there are many different regulations from one canton to another relating to access to employment in the public sector (health, education, administration etc.). Accordingly, Switzerland reserves the right for its cantons to subject access to public employment to conditions based on nationality.

3. Member states should consider commissioning the public sector administrations to develop action plans which promote ethnic and cultural diversity among their employees.
4. Member states should undertake steps aiming at combating any form of discrimination or/and institutional discrimination regarding employment of non-nationals in the public sector.

III. Competition for posts in the public sector

1. Member states should provide, whenever possible, the possibility for non-nationals to participate in competitions for posts in the public sector.
2. Non-nationals admitted for competition in the public sector should enjoy equal treatment with nationals in law and practice.
3. Member states may take positive steps to encourage non-nationals to apply for posts in areas with a high percentage of non-nationals in their population or persons with an immigrant background.
4. This should apply, in particular, in areas of the public sector where there is a need to reflect the diversity of society.
5. This should also apply for posts in areas where their presence will be of benefit to the immigrant population and contribute to diversity.

IV. Nationality/citizenship requirements

1. Member states are invited to revise their national legislation, wherever possible, in respect of sectors or posts where the maintenance of the condition of nationality or citizenship is not essential.
2. Member states are invited to commission an in-depth examination by appropriate institutions or persons of all public sector posts to identify those where nationality or citizenship status should not be required.
3. In the case of sectors or posts where nationality or citizenship is required, other than those excluded under paragraph I.3, member states may consider opening them to non-nationals on, for example, a contractual basis.

V. Language requirements

1. Member states should only require language skills which are appropriate to the functions to be undertaken. Language fluency should be related to the job.
2. Member states may wish to actively encourage amongst their public sector employees the further development of their language skills, in particular by facilitating their access to language courses.

VI. Final provisions

1. This recommendation is without prejudice to the option open to a member state to grant a more favourable legal status to non-nationals applying for employment in public sector.
2. This recommendation assumes there will be no difference in the member states of the Council of Europe in treatment for the purposes of public sector employment between native-born and foreign-born nationals of the member state.
3. Should such differences exist, member states could consider extending the scope of this recommendation to include foreign-born nationals of the member state.
4. This recommendation does not affect the legal status of European Union nationals employed in other European Union member states or the legal status of non-European Union migrants admitted to employment in those states and to whom European Union agreements with third countries are applicable.
5. This recommendation does not affect the rights of long-term migrants as defined in Recommendation Rec(2000)15 of the Committee of Ministers to member states concerning the security of residence of long-term migrants.
6. Member states not having yet done so are encouraged to ratify the European Convention on Social and Medical Assistance and its Protocol, the European Convention on Establishment, the European Convention on the Legal Status of Migrant Workers, the Convention on the Participation of Foreigners in Public Life at Local Level, the Revised European Social Charter and the European Convention on Nationality.

APPENDIX IV

Recommendation Rec(2006)9
of the Committee of Ministers to member states
on the admission, rights and obligations of migrant students
and co-operation with countries of origin

*(Adopted by the Committee of Ministers on 12 July 2006
at the 971st meeting of the Ministers' Deputies)*

The Committee of Ministers, under the terms of Article 15.b of the Statute of the Council of Europe,

Considering that the aim of the Council of Europe is to achieve a greater unity between its members;

Recalling the 1950 Convention for the Protection of Human Rights and Fundamental Freedoms and its Protocols, and, in particular, its Article 8, which guarantees the right to respect for private and family life, its Article 14, which sets forth the principle of non-discrimination with regard to the rights granted, Article 2 of Protocol No. 11, which stipulates that no person shall be denied the right to education, Article 2 of Protocol No. 4, which guarantees freedom of movement, Article 1 of Protocol No. 12, which prohibits discrimination, as well as the relevant case law of the European Court of Human Rights;

Recalling the 1997 Convention on the Recognition of Qualifications concerning Higher Education in the European Region, which aims to facilitate the recognition in one state of qualifications granted in another state;

Taking note of the Council Directive of the European Union 2004/114/EC of 13 December 2004 on the conditions of admission of third-country nationals for the purposes of studies, pupil exchange, unremunerated training or voluntary service;

Recognising that the right to education is a fundamental principle of human rights, and that higher education, which is instrumental in the pursuit and advancement of knowledge, constitutes an exceptionally rich cultural and scientific asset for both individuals and society;

Considering that for countries of origin and, in particular, for developing countries human capital is an important resource that can contribute to their sustainable development and social and economic progress;

Considering that the mobility of migrant students contributes to peace, mutual understanding and tolerance, and creates mutual confidence among peoples and nations;

Recognising that the mobility of migrant students aims to increase their professional qualifications and skills;

Affirming the need to improve the legal status of migrant students and to facilitate their access to educational institutions and educational resources and to social and economic rights in the member states on conditions similar to those of national students;

Taking into account Recommendation No. R (84) 13 of the Committee of Ministers to member states concerning the situation of foreign students;

Recalling that at the 7th Conference of European Ministers responsible for Migration Affairs of the Council of Europe, the Ministers recommended to the Committee of Ministers to strengthen the dialogue and partnership between member states and, when relevant, with non-member states on migration issues;

Recommends that the governments of member states apply the principles set out below in their legislation and administrative practice.

Recalls that this recommendation does not prevent a member state granting a more favourable legal status to foreign nationals who apply for admission or have already been admitted for study purposes.

Recommends member states to bring the principles of this recommendation to the attention of the relevant bodies in their respective countries through the appropriate channels.

Encourages member states not having yet done so to ratify the European Convention on Social and Medical Assistance and its Protocol (1953), the European Convention on Establishment (1955), the European Convention on the Legal Status of Migrant Workers (1977), the Convention on the Participation of Foreigners in Public Life at Local Level (1992), the European Convention on the Exercise of Children's Rights (1996), the revised European Social Charter (1996) and the European Convention on Nationality (1997).

Appendix to Recommendation Rec(2006)9 on the admission, rights and obligations of migrant students and co-operation with countries of origin

I. Scope of application

1. This recommendation applies to migrant students¹ wishing to pursue studies in an institution of higher education in a member state of the Council of Europe.

2. For the purposes of this recommendation, the term “migrant student” covers any foreign national, including those originating from developing countries and stateless persons where:

- he has been admitted to an institution of higher education in a member state in order to pursue, as his main activity, a course of full-time study; and

- he will pursue or is pursuing a course of study that will lead to the award of a qualification recognised in accordance with the legislation and/or administrative practice of the member state concerned or a preparatory programme for studies of this type; and

- he is requesting admission to the territory of the member state concerned in order to pursue the course of study or has already been so admitted.

3. For the purposes of this recommendation, the expression “institution of higher education” refers to a public or private institution which is recognised, or whose curriculum is recognised by a member state and which is considered to be of higher education level, in accordance with the legislation and/or administrative practice of the member state concerned.

¹ For the purpose of clarity the masculine gender is used to refer to both male and female migrant students throughout the text.

4. Member states may, by adjusting its content accordingly and with due regard to its principles, extend this recommendation to persons seeking admission to their territory, or who are already so admitted, for the purposes of studies other than those mentioned above, including unpaid vocational training aimed at improving their skills.

II. Conditions of admission

1. A migrant student should be admitted to the territory of a member state if he satisfies the conditions set out below.

a. He holds a valid travel document in accordance with the legislation or administrative practice of the member state concerned, including a visa, if necessary.

b. He holds a certificate of acceptance as a student at an institution of higher education.

c. He is able to demonstrate, if so requested by the member state concerned, a sufficient knowledge of the language in which the course of study he intends to pursue is to be taught.

d. He is able to demonstrate that for the duration of his stay he will have the necessary resources to cover his living costs, the costs of his studies and the costs of return to his country of origin.

i. Member states may require that the financial resources of the migrant student are at least equal to the minimum monthly amount which each member state establishes and publishes for reference purposes in connection with admission for study purposes.

ii. Member states should refrain from requiring the migrant student to deposit a sum of money in a bank account of such an amount as to constitute an unreasonable financial obstacle to his admission.

iii. Member states should consider taking into account the resources in kind that the migrant student may have at his disposal during his stay and/or potential earnings from lawful, paid employment as specified in section VII.

e. He possesses health insurance covering all the risks, including maternity and invalidity, usually covered by the social security system of the member state concerned, unless he is covered by such insurance in his capacity as a student.

2. The entry and/or stay of a migrant student whose presence would constitute a threat to public order, public security or public health may be refused.

III. Residence permits²

1. A residence permit issued to a migrant student should be valid for a minimum of one year, unless the duration of the course is less than one year.

2. A residence permit should be renewed if the migrant student continues to meet the conditions of admission specified in section II and is making sufficient progress in his studies in accordance with the legislation or administrative practice of the member state concerned.

3. A residence permit may be withdrawn or not renewed if the migrant student no longer satisfies the conditions set out in section II and/or it was fraudulently obtained.

² The term “residence permit” covers any permission to stay on the territory of the member state.

4. A residence permit may be withdrawn or not renewed if the migrant student fails to abide by the rules governing employment specified in section VII.

IV. Procedure

1. With a view to establishing a fast-track admission procedure, member states should, where possible, encourage formal agreements between the national authority responsible for admitting migrant students to their territory and institutions of higher education.
2. Member states should publish information on the average length of time that is required to process duly completed applications for admission.
3. All decisions concerning applications for admission to the territory or for the renewal of residence permits should be taken and communicated to the migrant student within a reasonable time and, in any event, not so as to hinder his course of study.
4. In the event of a negative decision the migrant student should be informed of the available legal remedies and the relevant time limits provided for by the legislation of the member state concerned.

V. Appeals

Member states should, in accordance with their legislation, provide migrant students with the right to contest all decisions concerning the student's admission to the territory or the grant of a residence permit.

- a. In the case of a refusal to admit to the territory of the host country, the member state concerned should, as far as possible, enable the migrant student to benefit from a simplified or accelerated administrative appeals procedure.
- b. In the case of the refusal, non-renewal or withdrawal of a residence permit, there should be a right to appeal to an administrative body or, where possible, to a court.

VI. Access to rights

1. Migrant students lawfully present on the territory of a member state and/or to whom a residence permit has been issued should be entitled to enter and exit the state.

Member states should facilitate the freedom of movement of migrant students, as provided by national legislation, by establishing, wherever possible, a fast-track procedure with regard to entry, exit and transit visas.

2. During their stay, migrant students should have access to health care.

Member states should allow migrant students to contract health insurance covering all risks (including maternity and invalidity).

Migrant students temporarily without sufficient resources should have access to social and medical assistance as provided by national legislation and international agreements in force.

3. Migrant students should have access, under conditions provided by the national legislation in the host country, to student university accommodation or, if none is available, to social housing.

4. Migrant students admitted to a member state should have the possibility to pursue part of their course of study in an institution of higher education situated in another member state or to take part in an exchange programme in accordance with the national legislation of the member states concerned.

VII. Employment opportunities

1. Outside their study time, migrant students should be entitled to be employed or undertake self-employed economic activity. This possibility to work should be subject to the national legislation or administrative practice applicable to the relevant activity in the host country and, where appropriate, in accordance with bilateral agreements and/or the migrant student's contract. The situation of the labour market in the host country may be taken into account in deciding whether or not to allow migrant students to work.

a. Where necessary, member states should grant migrant students and/or employers prior authorisation in accordance with national legislation.

b. In order to improve the qualifications and professional skills of migrant students, member states should facilitate work that is related to their studies.

c. Member states should allow migrant students to work full-time during the holiday period of their institution of higher education.

2. Member states may allow the migrant student to look for work after completing his studies and be employed for a limited period of time if this possibility is foreseen in the national legislation of the host country.

However, if the migrant student has benefited from a co-operation programme or scholarship, before granting him permission to work, the member state concerned should contact the authorities of the student's country of origin.

3. Member states should ensure that migrant students, before they accept an employment offer, have access to all necessary information regarding the conditions of work and stay in the host country.

4. Member states should consider extending the above-mentioned principles to vocational training.

VIII. Co-operation with countries of origin, including member states – return and reintegration

1. Member states should co-operate closely with countries of origin with a view to establishing together training and qualification programmes of particular interest for these countries, a preferential system of scholarships and programmes aimed at facilitating the successful reintegration of migrant students in their countries of origin.

2. Member states should adopt, if necessary, measures aimed at encouraging migrant students to return to their countries of origin after completing their programme of study, especially those who have benefited from co-operation programmes or scholarships financed either by their country of origin or by the host country.

3. Where possible, member states should consider establishing, in co-operation with countries of origin, a special fund to facilitate the return and the reintegration of migrant students.

4. Member states should conclude agreements with countries of origin with a view to ensuring that skills and/or diplomas acquired by migrant students in the host country are recognised in their own country of origin.

IX. Transparency

Each member state should make available to the public, in particular on the Internet, a full range of detailed and regularly updated information on the institutions of higher education covered by this recommendation and the courses of study to which foreign nationals can be admitted, as well as the conditions and procedures for entry and stay on its territory for study purposes and the rights of migrant students.

X. Bilateral or multilateral agreements governing the admission of migrant students

Member states should ensure that the principles of this recommendation are respected in all multilateral or bilateral agreements with other member states or non-member states governing the admission of migrant students.

APPENDIX V

Recommendation Rec(2007)9
of the Committee of Ministers to member states
on life projects for unaccompanied migrant minors

*(Adopted by the Committee of Ministers on 12 July 2007
at the 1002nd meeting of the Ministers' Deputies)*

The Committee of Ministers, under the terms of Article 15.b of the Statute of the Council of Europe,

Considering that the aim of the Council of Europe is to achieve greater unity among its member states;

Recalling the 1950 Convention for the Protection of Human Rights and Fundamental Freedoms (ETS No. 5) and its Protocols;

Recalling the 1996 European Social Charter (revised) (ETS No. 163);

Recalling the 2005 Council of Europe Convention on Action against Trafficking in Human Beings (CETS No. 197);

Recalling the 1989 United Nations Convention on the Rights of the Child and its two optional Protocols;

Recalling the 1951 United Nations Convention relating to the Status of Refugees and its 1967 Protocol;

Recalling the 2000 United Nations Convention against Transnational Organised Crime and its two Protocols;

Having regard to General Comment No. 6 (2005) of the United Nations Committee on the Rights of the Child on the treatment of unaccompanied and separated children outside their country of origin;

Having regard to the Inter-agency Guiding Principles on Unaccompanied and Separated Children adopted by the International Committee of the Red Cross (ICRC), the United Nations High Commissioner for Refugees (UNHCR), the United Nations Children's Fund (UNICEF), the International Rescue Committee (IRC), the Save the Children UK (SCUK) and the World Vision International (WVI) in 2004;

Having regard to the 1997 Guiding Principles of the United Nations High Commissioner for Refugees (UNHCR) on policies and procedures applicable to unaccompanied children seeking asylum, and the 2006 UNHCR Guiding Principles on Formal Determination of the Best Interests of the Child;

Considering the recommendations of the Parliamentary Assembly of the Council of Europe, Recommendation 1596 (2003) on the situation of young migrants in Europe and Recommendation 1703 (2005) on protection and assistance for separated children seeking asylum;

Having regard to the Twenty Guidelines on Forced Return adopted by the Committee of Ministers of the Council of Europe in 2005;

Considering the Statement of Good Practice of the Separated Children in Europe Programme adopted by the International Save the Children Alliance in Europe and the United Nations High Commissioner for Refugees in 2004;

Taking account of the work of the Council of Europe Regional Conference entitled “Migration of unaccompanied minors: acting in the best interest of the child”, held in Málaga (Spain) on 27 and 28 October 2005 and in particular its conclusions;

Considering that there are in the member states of the Council of Europe or at their borders an increasing number of unaccompanied migrant minors who find themselves alone, in situations of vulnerability, far from their family environment, separated from their parents or families and exposed to multiple risks;

Considering that migration policies in general, and in relation to unaccompanied migrant minors in particular, require a range of measures that go beyond border controls and action against irregular migration;

Stressing the necessity to improve the management of migration of unaccompanied minors in order to overcome the difficulties of member states in taking care of them;

Considering the need to reduce the risks faced by unaccompanied migrant minors that endanger their health, their development and in some cases their lives;

Considering the need to support the efforts of countries of origin in providing information on the risks, dangers, and vulnerabilities relating to the situation of unaccompanied migrant minors and in preventing their migration;

Considering that the best interests of unaccompanied migrant minors should be the primary consideration in all decisions relating to them and that any action taken in relation to them must protect their rights and safety and promote their personal development;

Stressing that the diversity and heterogeneity of the situation of unaccompanied migrant minors based on their origin, gender, personal history, cultural diversity, legal status or any other condition, must be taken into account in accordance with an individualised, multidisciplinary and participatory approach;

Being convinced that the member and non-member states of the Council of Europe can, by strengthening their co-operation, contribute to finding lasting solutions for and with unaccompanied migrant minors that will help them to build life projects guaranteeing them a better future,

Recommends that the governments of member states:

- a. take steps to implement in their policy, law and practice the principles and measures set out in the appendix to this recommendation;
- b. promote the implementation of these principles and measures by the relevant governmental agencies and authorities dealing directly or indirectly with the elaboration and implementation of national policies regarding non accompanied migrant minors;
- c. ratify as soon as possible the 2005 Council of Europe Convention on Action against Trafficking in Human Beings if they have not yet done so.

I. Concepts

Life projects

1. Life projects aim to develop the capacities of minors allowing them to acquire and strengthen the skills necessary to become independent, responsible and active in society. In order to achieve this, life projects, fully in accord with the best interests of the child, as defined in the Convention on the Rights of the Child, pursue objectives relating to the social integration of minors, personal development, cultural development, housing, health, education and vocational training, and employment.
2. Life projects are individual tools, based on a joint undertaking between the unaccompanied migrant minor and the competent authorities for a limited duration. They define the minor's future prospects, promote the best interests of the child without discrimination and provide a long-term response to the needs of both the minor and the parties concerned.
3. Life projects are a lasting solution for both member states and the minors themselves, meeting the challenges arising out of the migration of unaccompanied minors. They shall therefore be an integrated policy tool available to member states in order to meet the needs of such minors and to tackle the many difficulties arising out of this migration.

Unaccompanied migrant minors

4. This recommendation concerns unaccompanied migrant minors who are outside their country of origin, regardless of their status, irrespective of the reasons for their migration and whether or not they are asylum seekers. The expression 'unaccompanied migrant minors' includes separated children and minors who have been left to their own devices after entering the territory of the member state.
5. Unaccompanied minors are children under the age of 18 who have been separated from both parents and other relatives and are in the care of an adult who, by law or custom, is responsible for doing so.
6. Separated children are children under the age of 18 who have been separated from both parents, or from their previous legal or customary primary caregiver, but not necessarily from other relatives. They may, therefore, be children accompanied by other adult family members.

II. Life projects: an integrated policy tool

7. Every life project is based on a comprehensive, integrated and therefore multidisciplinary approach.
8. Drawing on a holistic approach, every life project should take account of the child's specific situation. It should take account of several elements, in particular:
 - i. the minor's personal profile: age, gender, identity, legal status, culture of origin, level of education, mental development and maturity, possible traumas suffered, health, vocational experience and skills;
 - ii. the minor's migration itinerary: factors influencing his or her departure, circumstances of the journey, duration of residence and living arrangements in countries of transit and in Europe;

- iii. the minor's family environment and particularly the nature of his or her family relations;
- iv. the minor's expectations, wishes and perceptions;
- v. the situation in the country of origin: the political, legislative, socio-economic, educative and cultural context, the human rights situation (taking account of ethnic, religious and sex discrimination and other potential dangers), the availability of appropriate care and support, including reception;
- vi. the special guarantees afforded to unaccompanied minors seeking asylum, in particular regarding *non-refoulement* and the identification of durable solutions;
- vii. the situation in the host country: the political, legislative and socio-cultural context; availability of opportunities for the minor, including level and degree of support available; possibility of remaining in the host country; opportunities in terms of integration in the host country.

9. Unaccompanied migrant minors should be able to enjoy all rights recognised by the relevant international and European standards and in particular the United Nations Convention on the Rights of the Child, which are preconditions for the realisation of their life projects. In order to ensure effective access to these rights the member states should take action, in particular, in the political, legal, social, health, educational, economic and cultural areas.

10. In order to contribute to the full realisation of life projects, the co-ordination of policy and practice should be a priority. Accordingly, member states should take the action set out below:

- i. establish and/or support national bodies for co-ordinating the various agencies dealing with unaccompanied migrant minors and, where appropriate, allocate the requisite material, human and financial resources for creating such bodies;
- ii. create and operate European networks for information exchange involving not only origin, transit and host countries but also the relevant international organisations and representatives of civil society;
- iii. strengthen co-operation with the non-member states representing the main countries of origin of unaccompanied migrant minors with a view to establishing long-term relations of trust based on a clear definition of the respective responsibilities in implementing the minors' life projects.

11. Bilateral agreements should set out minimum conditions under which unaccompanied migrant minors can implement their life projects in their countries of origin and provide for exchanges between social workers specialising in the care of minors.

12. Within the framework of their co-operation, the member states should refrain from divulging information on asylum seekers and refugees.

13. Alongside national schemes for co-operating with the countries of origin, exchanges between local authorities or NGO representatives directly involved in providing for unaccompanied minors should be supported and further developed.

14. Member states, along with countries of origin, should foster public information and awareness-raising campaigns on the risks linked to child migration, particularly the dangers of networks involved in clandestine immigration, exploitation of minors and organised crime.

III. Life projects: a mutual commitment

15. Life projects should be formalised by a written agreement setting out the respective commitments of both parties and signed by them and/or by the guardian of the unaccompanied migrant minor.

16. Life projects should comprise individualised, open-ended objectives which the minor undertakes to pursue, the arrangements for monitoring their implementation and a regular assessment based on exchanges between the minor and the competent authorities. They should take account of the unaccompanied migrant minor's personal profile and expectations, as well as the opportunities provided for him or her in the host country and the country of origin.

17. The competent authorities should undertake to ensure that the life project comprises measures to protect the minors in order to help them achieve the aforementioned objectives. These measures should include access to:

- appropriate accommodation;
- specialised support provided by properly trained personnel;
- appointment of specially trained guardians and/or legal representatives;
- clear and full information about his or her situation in a language that he or she understands;
- basic services, including food, medical care and education.

18. The competent authorities should undertake as soon as possible an analysis of the unaccompanied migrant minor's family situation and prioritise the search for the parents or legal or customary guardian in order to establish, as appropriate and always respecting the child's best interests, direct or indirect contacts with a view to possible family reunion.

19. The competent authorities should ensure the funding of all action to identify, accommodate, assess the situation and protect unaccompanied migrant minors.

20. Life projects should create favourable conditions for guaranteeing genuine dialogue between the competent authorities and the unaccompanied migrant minors in order to enable them to understand the opportunities they are being offered and to guarantee their participation and involvement in all stages of the formulation and implementation of their life project.

IV. The conditions required to implement life projects

21. Member states should define the responsibilities of each partner, in particular national and local authorities, welfare services, youth workers, families and legal representatives, in implementing and monitoring life projects and ensuring their co-ordination. Member states should provide in particular for appropriate funding and distribution of funds.

22. The member states should establish or reinforce procedures guaranteeing the identification and registration of unaccompanied migrant minors and the issuing to them of the necessary documents, including, if necessary, proper travel documents.

23. Special attention should be given to the case of unaccompanied minors seeking asylum. Asylum procedures should not affect the effective preparation and implementation of life projects for these minors, for whom enhanced protection is necessary, in particular with regard to the principle of *non-refoulement*.

24. The life project may, depending on its particular objectives, be implemented either in the host country or, alternatively, in the host country and in the country of origin, or in the country of origin. In specific cases, in particular in the case of family reunion with parents residing lawfully in a third country, the life project might be implemented in this country. In this case, in addition to the measures mentioned in paragraphs 28 and 29, the member states should facilitate the minor's departure and implementation of his or her life project in this country.

Life projects in the host country

25. For as long as the life project is implemented in the host country, the member state should guarantee access for the unaccompanied migrant minor to classes in the language of the host country, to education and/or to appropriate vocational training on an equal footing with nationals. The minor should also have the possibility of entering the labour market.

26. Where a minor involved in the implementation of his or her life project attains the age of majority and where he or she shows a serious commitment to their educational or vocational career and a determination to integrate in the host country, he or she should be issued with a temporary residence permit in order to complete the life project and for the time necessary to do so.

Life projects in both the host country and the country of origin

27. Where the life project begins in the host country and continues in the country of origin, member states should take all practical steps to ensure its continuity and satisfactory conclusion.

Life projects in the country of origin

28. Where the life project is implemented in the country of origin, member states should define the conditions that will guarantee its success. These conditions should include at least the following:

- i. consideration of the needs corresponding to age and degree of maturity of the minor;
- ii. reception, protection and appropriate care and support in the country of origin, guaranteed either by the parents or guardian and/or other legal guardian, or by governmental or non-governmental authorities, always respecting the best interests of the child;
- iii. involvement of the local authorities in implementing the life project in the country of origin, including protective measures for the minor, social, health and educational services and the selection of local bodies (for example, NGOs) capable of helping implement and monitor the life project;
- iv. funding, as far as possible, of training courses for specialist staff or local bodies assisting with the life project.

29. Where the minors return to their country of origin, member states should request the support of non governmental organisations or relevant international organisations in this field, such as the United Nations High Commissioner for Refugees (UNHCR), the United Nations Children's Fund (UNICEF) and the International Organisation for Migration (IOM), in accordance with their respective mandates.

V. Communication strategy and follow-up to the recommendation

30. Member states should take specific measures to identify and inform professionals working, in particular, in agencies and institutions in charge of the reception, social assistance, protection and monitoring of unaccompanied migrant minors. This could be carried out through awareness-raising campaigns, training courses, conferences and seminars, networks to exchange experience (partnerships) or any other way that might improve their knowledge of life projects and expertise in implementing them. Member states should inform the competent authorities from origin and transit countries of the principles of this recommendation.

31. With a view to promoting life projects, member states should also widely disseminate the principles of this recommendation, especially to media, non-governmental organisations and other actors. The objective is to raise awareness in public opinion concerning migration and the unavoidable presence of unaccompanied minors in the member states, their fragility and the risks that a precarious situation entails for them, as well as the need for the competent authorities to take care of them through life projects.

32. Member states are encouraged to devise indicators to gauge the formulation, implementation and evaluation of life projects in their respective countries.

33. Where possible, member states are encouraged to list the measures taken to implement the recommendation in their respective national reports on the implementation of the United Nations Convention on the Rights of the Child.

APPENDIX VI

Recommendation Rec(2007)10
of the Committee of Ministers to member states
on co-development and migrants working for development in their countries of origin

*(Adopted by the Committee of Ministers on 12 July 2007
at the 1002nd meeting of the Ministers' Deputies)*

The Committee of Ministers, under the terms of Article 15.b of the Statute of the Council of Europe,

Whereas the aim of the Council of Europe is to achieve a greater unity between its members for the purpose of safeguarding and realising the ideals and principles which are their common heritage, and facilitating their economic and social progress;

Recalling that, at the 7th Conference of European Ministers responsible for Migration Affairs, organised by the Council of Europe, the Ministers recommended that the Committee of Ministers strengthen dialogue and partnership on questions regarding migration between member states and, when relevant, non-member states;

Defining co-development as any social, economic, cultural or political development activity in countries of origin based on co-operation between migrants, their organisations and their partners – public and private – in both countries of origin and receiving countries;

Acknowledging the need to support migrants' associations that work to promote the socio-economic, political and cultural development of countries of origin both at national level, in receiving countries and countries of origin, and at international level;

Considering that co-development falls within the overall framework of discussions relating to integration, migration and development, and that co-development consequently comes within overall development co-operation policy, and does not replace it;

Acknowledging that, through their knowledge of languages, their skills and their cultures, migrants, persons born abroad and persons of immigrant origin contribute to and strengthen social cohesion in their receiving countries' societies;

Acknowledging that successful integration of migrants into their receiving countries may support and enhance their participation in development in their countries of origin;

Taking into consideration the action undertaken, individually or collectively, by migrants living in receiving countries to support their families and communities in their countries of origin through technical, cultural, financial and other transfers;

Wishing to encourage co-operation and solidarity between receiving countries and countries of origin, so as to foster sustainable development in high-emigration countries, and recalling that Council of Europe member states are countries of origin and receiving countries;

Acknowledging that migrants and their associations, because of their knowledge of the needs of both countries of origin and receiving countries, must always play a part in any co-development activities;

Taking into consideration that reducing the differences in development between countries of origin and receiving countries can reduce migration flows and that co-development can also contribute;

Recalling that several member states and certain non-member countries of origin have introduced policies and financial mechanisms to provide support to migrants' initiatives intended to assist their countries of origin;

Acknowledging that migration is only one of several factors that contribute to the development of countries of origin and receiving countries;

Taking account of the fact that financial transfers by migrants are important for the improvement of the socio-economic situation of their families who have stayed in their countries of origin;

Recalling Resolution 1462 (2005) and Recommendation 1718 (2005) of the Parliamentary Assembly of the Council of Europe entitled "co-development policy as a positive measure to regulate migratory flows";

Acknowledging the need to set up an appropriate and coherent political framework for co-development and to initiate new forms of dialogue in order to stimulate and develop the forms of consultation most likely to strengthen the activities of migrants and their associations, both internationally and at the level of national governments, local authorities, financial institutions, non-governmental organisations and any other body concerned;

Specifying that assistance with return arrangements for migrants in an irregular situation in the receiving country does not come within the remit of co-development,

Recommends that the governments of member states support the activities of migrants and their associations and partners playing a part in development in their countries of origin;

Recommends that the governments of member states collaborate with migrants and their associations in the design and implementation of policies and programmes of co-development in their countries of origin;

Recommends that the governments of member states apply the following principles:

- create an environment conducive to co-development;
- establish and enforce legal frameworks that define, in the context of their development policy, the rights and obligations of migrants and their associations;
- promote migrants' community life;
- facilitate partnerships, public and private, involving players (including migrants) from countries of origin and receiving countries;
- foster mobility for migrants participating in the development in their countries of origin;
- encourage women and young people to get involved, whether they are migrants or of immigrant origin;

Recommends that the governments of member states introduce and apply the following provisions on co-development:

- support measures and give incentives to co-development projects;
- training facilities so that co-development players have the capacity to better develop and manage their projects;
- support and evaluation measures for co-development projects.

Parts I to VII hereafter explain in greater detail how member states may apply these principles and provisions. Part VIII provides for the communication and follow-up of the recommendation.

I. Preconditions for co-development

A. In the receiving countries:

1. All co-development activities are based on migrants' initiative and participation. It is consequently important to promote and consolidate migrants' community life in their receiving societies. If this is weak, it should be given support and broadened through political and financial action.

2. As co-development activities are likely to concern all the aspects of local development – economic, social, political and cultural aspects alike – it is necessary to attach the greatest importance to the internal organisation of migrants' community life in order to promote the effectiveness of their activities.

3. A low level of integration is detrimental to migrants' ability to involve themselves in co-development activities. An improvement in their social, economic, political and cultural integration and efforts to combat discrimination through robust legal frameworks and dynamic social policies will give them the security and confidence that they need to undertake development projects in their countries of origin.

4. As the results of co-development activities manifest themselves a great distance from migrants' receiving countries and, in some cases, lack visibility, it is important to make political representatives and the public in those countries aware of migrants' contribution to development in their countries of origin.

B. In the countries of origin:

5. In order to create an environment conducive to co-development activities in their countries, the governments of countries of origin should improve the recognition and visibility of their emigrants' contribution at all levels: cultural, political, economic and social.

6. In order to enable co-development activities to be carried out in their countries, the governments of countries of origin should take legal and administrative measures facilitating the efforts of migrants and their associations; encourage partnerships between migrants and the public and private players concerned; and support migrants' productive investments and the mobilisation of additional resources.

C. Between receiving countries and countries of origin:

7. Bilateral and multilateral agreements on migration, especially on the migration of workers and on the development of countries of origin, should provide for co-development activities and include provisions to protect the rights of migrants, their families and associations engaged in such activities.

8. International consultation bodies based on equal representation, especially the joint committees which exist to devise, monitor and evaluate the development policies of countries of origin, should provide for the involvement of migrants and their associations, in various forms to be defined.

9. Inter-regional dialogue, as informal consultation fora bringing receiving countries and countries of origin together on these issues, should include discussions with a view to recommending measures to be taken by receiving countries and countries of origin, in order to comply with these preconditions for co-development.

II. Partnership

10. Co-development is based on co-operation at many and varied levels, international and national on the one hand, and national and local on the other. Partnerships are therefore essential for designing, implementing and evaluating co-development activities. Effective partnerships will, *inter alia*:

- involve all the players concerned, at every level;
- create and strengthen co-operation among the various players involved in co-development, particularly between local authorities in the receiving countries and those in the countries of origin;
- encourage the training of players new to co-development activities through the sharing of information and experience;
- facilitate the transfer of migrants' skills;
- ensure that the initiatives of migrants and their associations are appropriate to actual development needs, at either national or local level, in the countries of origin;
- encourage the sustainability of co-development projects through joint activities;
- develop in a positive manner national, regional and inter-regional migration management policies and instruments, especially through co-development activities undertaken at local level.

11. The smooth functioning of partnerships on co-development should be ensured through appropriate provisions in bilateral and multilateral agreements.

III. Mobility

12. The promotion of greater flexibility and mobility for skills and know-how between countries of origin and receiving countries will enable migrants and their associations to make their co-development projects more successful by giving priority to exchanges of information and contacts with possible partners.

13. Consideration should be given to practical measures that will facilitate the movement of migrants between their receiving countries, other destination countries and their countries of origin without losing their rights in their receiving countries with regard to the implementation of their co-development projects.

14. The movement of migrants described in the preceding paragraph should be for the purpose of designing, implementing, managing and evaluating a co-development project. This will, in particular:

- identify needs and partners;
- effect diagnoses and feasibility studies;
- sign and implement the project;
- make arrangements for project funding;
- back up implementation of the project by making visits to review progress and to provide technical assistance, advice and training;
- evaluate project results.

15. Persons living in the country where the co-development project is being implemented and who are working on it should be given the possibility of visiting the country supporting and/or involved in it for the following purposes:

- to obtain or exchange information about the project or take part in the training needed for its successful implementation, including acquisition of the necessary skills;
- to take part in internal meetings connected with the project (such as progress reviews or taking of decisions).

16. Migrants and those involved in co-development projects should be encouraged to share their expertise at national, international and inter-regional meetings on co-development. Member states are encouraged to facilitate their movement for this purpose.

IV. Project support and assistance

17. Many skills are needed by co-development project promoters if the project is to be carried out, make a genuine contribution to development in the country of origin and be sustainable. Accordingly, provision should be made for support and assistance, according to promoters' experience and expertise, including the measures set out below.

Associations' management capacity

18. Care should be taken to ensure that the leaders of migrants' associations wishing to participate in co-development activities and/or to carry out co-development projects themselves have the necessary management skills and can, if necessary, improve them.

19. National and local authorities and chambers of commerce might consider making available to migrants' associations advice and training suitable to their needs. They might also consider, where appropriate, seconding appropriately skilled members of their staff without diminishing the central role of migrants and their associations in the management of co-development projects.

Inception and setting up of projects

20. Migrants or their associations wishing to start or to take part in a co-development project (whether through funding, expertise or time) should have access to general information about the situation in the country or region concerned (including relevant legislation, potential development needs and possible partnerships) and about the co-operation and development programmes in progress.

21. They should also have access to specific advice helping them to clarify all that is needed to set up their project. This would enable them, for instance, to set achievable objectives which correspond to actual needs, and to identify and ensure the availability of all the necessary (human, technical and financial) resources.

22. If necessary, they should be able to benefit from grants to assist them in carrying out feasibility studies.

Human and technical resources to support and help with project management

23. Prior to and throughout a co-development project, migrants should benefit from management advice and support from experts specialised in the field.

24. Consideration should be given to the provision, whether directly or indirectly, by public authorities of administrative, financial and technical experts to support, where necessary, the implementation of co-development projects in the country of origin and the receiving country. Local authorities, firms, chambers of commerce, non-governmental organisations and research institutes should be encouraged to take part.

25. In view of the specific nature of co-development activities, the relevant authorities and bodies should consider making available, whether directly or indirectly, experts of immigrant origin to provide the administrative, financial and technical support referred to in the preceding paragraph.

26. The use of new information and communication technologies should be encouraged to facilitate the transfer of skills and expertise. Ways of helping migrants' associations to make better use of such technologies should be examined. Provision should be made for the necessary investment in equipment where co-development projects are to take place in countries where these technologies are not well developed.

Networking

27. In order to create the best possible link between co-development projects and the actual needs of local communities in countries of origin, thereby facilitating their implementation, governments should provide support at international level for discussions and consultations between public authorities in countries of origin and receiving countries.

28. Contacts should be facilitated, on the one hand, between migrants and their associations and, on the other, between these and any political, economic, financial or administrative players in the country of origin and receiving country able to help them in their efforts.

Evaluation

29. The setting up of evaluation machinery involving all partners in a project from its outset will make it possible to draw up a list of what migrants and their associations need to carry through their co-development projects, to properly identify the needs of local communities in the countries of origin, and to test outcomes against objectives and available resources.

30. Evaluation machinery of this kind will also make it possible to study the results of individual projects, and to disseminate information to national and international partners, thus helping to ensure that co-development activities endure.

V. Training

31. Training is a key factor both in the strengthening of general co-development programmes and in the success of individual projects. It encourages migrants, their associations and co-development project promoters to get involved and to act independently. It also offers encouragement to design co-development projects, follow them up and make them sustainable. In addition to the measures set out in part IV, the general provisions described below should also be made, taking account of the particular needs of women.

32. General and specific training programmes should be designed and implemented. They should cover the whole range of needs relating to co-development identified in co-operation with the migrants and other persons involved, including how to put together, launch, carry out and evaluate co-development projects. Migrants' associations which are active in co-development should be involved in the design and setting up of these training courses.

33. Information and training programmes should be set up to identify, formalise and turn to the best advantage highly qualified migrants' contribution to the development of their countries of origin.

34. Programmes should be developed in support of entrepreneurial activities undertaken by migrants.

35. Training programmes should be introduced on running associations, project management, the professional approach to socio-economic initiatives and local authority management.

36. Young people should be given access to information on co-development and its importance for migrants and their countries of origin. The participation of young people in general, and of young people of migrant origin in particular, in co-development projects should be promoted by exchange programmes with countries of origin (for example, school, cultural or sports exchanges).

37. In order to increase the knowledge and skills of the various players working on development in countries of origin, the authorities of receiving countries should facilitate the access of these persons to university, vocational and technical training.

VI. Migrants who return to their country of origin

38. Migrants who choose to return voluntarily in the shorter or longer term to their country of origin may initiate and be partners in co-development projects. These projects should, wherever possible, benefit from the support and assistance measures set out in parts IV and V.

39. Skilled migrants' projects which are likely to create considerable employment and which offer high added value, necessitating a short or very short stay, should be encouraged and supported by receiving countries and countries of origin.

40. Once migrants have returned to their country of origin they should benefit from the measures in parts IV and V provided they retain links with their former receiving country through migrants' associations or other partnerships.

VII. The financing of co-development projects

41. It should be possible for co-development projects, irrespective of the scale of the project and the financial resources available to the migrants initiating the project, to benefit from joint funding. The conditions for such joint funding should be defined within the framework of a precise programme of support and assistance that sets, for example, the rates, amounts, partnerships and means of implementation.

42. An institutional and political framework should be promoted which makes it easier, safer and less costly for migrants to transfer funds for investments in social, economic and cultural projects in their country of origin.

43. Consideration should be given to providing public and/or private financial support facilities for migrants' economic co-development initiatives, in particular by facilitating access to credit and the setting up of guarantee funds.

44. In order to encourage participation and the transfer of skills, consideration might be given to examining the feasibility of compensating, at least for transitional periods, any financial disadvantage suffered by persons who leave their employment for the purpose of working abroad on co-development projects.

45. Migrants' associations wishing to work in co-development should benefit from public assistance, financial or other, in the receiving country and the country of origin. Such assistance should be provided in accordance with established criteria.

VIII. Communication and follow-up of the recommendation

46. Member states should translate the present recommendation into their official languages and draw its principles to the attention of the bodies concerned in their respective countries, via the appropriate channels.

47. Member states should define indicators making it possible to measure the extent to which the principles and measures of the present recommendation are implemented.

48. Member states should inform the Secretary General of the Council of Europe of the results of the implementation of the principles and measures of this recommendation, including their experience and best practice, in order that they might be examined and shared within the competent bodies of the Organisation.

APPENDIX VII

Recommendation Rec(2008)4
of the Committee of Ministers to member states
on strengthening the integration of children of migrants and of immigrant background

*(Adopted by the Committee of Ministers on 20 February 2008
at the 1018th meeting of the Ministers' Deputies)*

The Committee of Ministers, under the terms of Article 15.b of the Statute of the Council of Europe,

Considering that the aim of the Council of Europe is to achieve greater unity between its members and that this aim may be pursued, in particular, through common action and the adoption of common policies in the fields of migration and youth;

Recalling the 1950 Convention for the Protection of Human Rights and Fundamental Freedoms (ETS No. 5) and its Protocols;

Recalling the 1996 revised European Social Charter (ETS No. 163) ;

Recalling the United Nations Convention on the Rights of the Child;

Recalling the Common European Framework of Reference for Languages (CEFR): Learning, Teaching, Assessment and the European Language Portfolio (ELP) and their importance in developing language competence and intercultural dialogue;

Considering that the integration of migrants and persons of immigrant background is a pillar of social cohesion of European societies;

Considering that integration is an interactive process based upon mutual willingness to adapt by both migrants and the receiving society;

Considering the importance of providing equal and effective access to educational opportunities, regardless of gender, origin, social background and area of residence;

Considering that there is an urgent need in many member states to strengthen the integration of children of migrants and of immigrant background into school and society;

Considering, in particular, that access to preschool establishments is important for facilitating the socialisation and language acquisition of children of migrants and of immigrant background;

Considering, in particular, that many newly-arrived migrant children have limited proficiency in the language of instruction and a different educational experience that can impede their progress at school, and that also some children of immigrant background enter school without possessing sufficient command of the language of instruction;

Considering, in particular, that in many member states more children of immigrant background than other children leave school prematurely without a diploma or other recognised school-leaving certificate;

Considering, in particular, that many young people of immigrant background have difficulties in the successful transition from school to the labour market;

Considering that the intercultural competence of school teachers and other professionals working with children in the educational system as well as their ability to manage diversity in the classroom are of paramount importance for the successful integration of children of immigrant background at schools;

Considering that the cultural, religious and linguistic diversity of society should be respected and promoted at schools in order to promote social cohesion;

Considering that migrant parents and parents of immigrant background should be encouraged and supported in their parental role and in their efforts to facilitate the integration of their children and that, in particular, they should be involved in the schooling process of their children;

Considering that adequate information about the educational system for migrant parents and parents of immigrant background is vital in empowering them to support the educational process and school performance of their children;

Considering that the active participation of civil society and migrants' associations in the integration of migrant children should be actively promoted;

Considering that, more generally, migrants and persons of immigrant origin should participate in drafting, adopting and implementing decisions and policies that concern their well-being and integration;

Recalling the importance of the principles of human rights, education for democratic citizenship, and intercultural competence for teachers and other professionals responsible for the welfare of children, including health and social workers,

Recommends the governments of member states, in accordance with the guidelines hereafter, introduce into their policy and practice measures to improve the integration of newly-arrived children of migrants into the educational system, provide children of migrants with adequate language skills at a preschool level, prepare children of migrants and of immigrant background approaching school-leaving age for a successful transition from school to the labour market, and overcome the difficulties faced by these children living in segregated areas and disadvantaged areas.

Concerning the communication of this recommendation and its follow-up,

Member states are encouraged to translate the present recommendation into their official language(s) so as to ensure that relevant actors fully understand its implications. Member states should, in any event, draw its principles to the attention of the public and private bodies concerned in their respective countries, via the appropriate national channels;

Member states should define indicators making it possible to measure compliance with the principles of the present recommendation and application of its provisions.

A. Language learning

1. In order to facilitate and enhance the language development of children of migrants, member states should implement measures that are adapted to the particular circumstances of these children. The overall objective of these measures should be to assist the children in acquiring the required proficiency in the language of instruction. This could include, as far as possible, the acquisition and maintenance of their mother tongue.

2. Member states should adopt the measures that are best adapted to the particular language learning needs of the specific populations of migrant children in their countries and should include the measures set out below. Where appropriate, these measures should be implemented at national, regional or local level.

i. Preschools, schools and other educational establishments should be given the necessary resources to offer additional language learning support to newly-arrived children, or to children born in the receiving country to recently-arrived parents, where the child's command of the language of instruction is deemed insufficient.

ii. Organisational and financial support should be given to the initiatives of migrants and their associations aimed at assisting newly-arrived migrant children to learn the language of instruction and to acquire the necessary academic discourse competence.

iii. Effective and adequate diagnoses of the linguistic skills of migrant children at a preschool level should be developed in accordance with the educational standards of the receiving country.

iv. Effective instruments to assess the literacy of newly-arrived migrant children should be developed with a view to being able to offer them language acquisition programmes adapted to their individual needs, including individualised (tailor-made) language support programmes.

v. Preschool establishments should be given support to adequately assess the linguistic skills of children when enrolling them and to put in place appropriate language acquisition and support programmes tailored to the needs of those children who require them.

vi. Where preschool establishments do not exist in the receiving country or in the locality where the family resides, health workers, social workers or other such professionals in contact with the family should make arrangements for an early language assessment of the children of preschool age and ensure that appropriate language enhancement measures are taken, when necessary.

vii. Collective recreation and sports activities should be organised in co-operation with migrants and their associations with a view to facilitating communication between children of different origins, both migrant and of the receiving society. These activities (for example, summer/winter camps, sport competitions, outreach activities) should involve children of different ages and take place in and outside the school. The parents of these children should be encouraged to participate and, if possible, assist in their organisation. Newly-arrived migrant children, in particular, should be actively encouraged to participate in these activities.

viii. Training schemes in work and education related language skills should be organised for children approaching the school-leaving age. The content of these training schemes should be such as to prevent an insufficient command of the language of the receiving country from becoming a barrier for school-leavers of immigrant origin to participation in the labour market. For this purpose, the training schemes should be organised in co-operation with employers and trade-unions.

B. Staff recruitment and development

3. In order to promote diversity at schools, efforts should be made to encourage persons of immigrant background to enter into the teaching profession. Teachers of immigrant background, including recent migrants, should be actively recruited and encouraged to work in schools. For this purpose, consideration should be given to setting up a simplified and accelerated procedure of recognising foreign teaching diplomas and offering special re-qualification courses to persons holding such diplomas.

4. Teachers, social and health workers and other professionals working with migrant children and children of immigrant background should have the ability to recognise and address in an appropriate manner the needs of these children. They should also be able to work effectively in a diverse ethnic, cultural, religious and linguistic environment. To ensure that these professionals have the necessary skills, member states should put in place the measures set out below. These measures should be implemented, as appropriate, by relevant national, regional or local authorities in co-operation with NGOs and migrants' associations.

i. At every stage of the professional qualification process for teachers, social and health workers and other professionals working with children of migrants and of immigrant background there should be learning opportunities to develop and test the special skills that they require. These include intercultural competence skills, skills to manage cultural differences in the classroom, peaceful conflict resolution skills, diagnostic skills to differentiate language problems from learning deficiencies, and skills to develop didactic instruments and learning strategies aimed at supporting children whose mother tongue is not that of the majority of society and/or the receiving country.

ii. Strategy development and skills relevant to intercultural learning and working with children whose mother tongue is not the language of instruction should be integral and mandatory elements of all pre-service and/or initial training qualification schemes, particularly for staff working with children of preschool age.

iii. Professionals whose initial training did not include modules relating to intercultural competence, management of cultural differences or plurilingualism should benefit from in-service training in order to equip them with the necessary practical skills and didactic tools. Professionals whose initial training did include such modules should have the opportunity to deepen their theoretical and practical knowledge by attending post-qualification and/or advanced courses.

iv. Supervision and counselling services, whether external or internal, should be made available for professionals in the field with a view to offering assistance and support in the development of general strategies and/or for dealing with individual cases.

C. Human rights, democratic citizenship and diversity

5. In order to facilitate the integration of children of migrants and children of immigrant background in both school and society, member states should ensure that the educational authorities and schools in their countries promote an atmosphere of hospitality, tolerance and respect for diversity at school. They should also assure the necessary conditions to enable these children to develop a positive image of themselves and identify positively with the receiving society. Measures relevant to the particular circumstances in each member state should be adopted, including those set out below.

i. The school curricula should, with a view to helping the children relate to the particular topics of each school subject, reflect the religious, ethnic and cultural diversity of the society and cover such issues as the history of migration and immigration into the receiving country, and the benefits of migration and cross-cultural knowledge.

ii. The school curricula should include education for democratic citizenship, human rights and intercultural competence.

iii. Teaching materials (including the content of textbooks and illustrations) should reflect the diversity of the society and affirm the fact that migrants and minorities are an integral part of it.

iv. Practical day-to-day arrangements in school should be, wherever possible, sufficiently flexible to meet the needs of children of different cultural and religious backgrounds.

v. Information campaigns that promote positive examples of integration for children through the use of role models of immigrant background should be organised from time to time.

vi. Key persons of immigrant background in the fields of politics, art, sport and entertainment should be actively recruited by schools in co-operation with NGOs to participate in activities organised for children of migrants.

D. Integration into school life

6. Member states should put in place measures aimed at ensuring that newly-arrived children of migrants are fully integrated into the national educational system and as quickly as possible. They should adopt such measures as are most suited to the particular circumstances prevailing in their countries, including the situation of the immigrant population. Government funding should be provided by the relevant national, regional or/and local authorities, where necessary, to help educational authorities and schools implement the measures. The measures should include those set out below. Where appropriate, these measures may be adapted to the needs of children of immigrant background.

7. The purposes of the measures referred to in this section are to ensure that schools identify and address as quickly as possible the particular learning needs of each child, that the child understands and settles into the school's culture and environment as soon as possible, and that the child can benefit from the opportunities of school life on a basis of equality with other children.

i. Schools should guide migrant children in their studies, help them develop appropriate learning skills and abilities and prevent the emergence of learning-related difficulties.

ii. In the absence of an already existing general framework that provides for the individual profiling of children with a view to identifying their strengths and potential and developing personalised support programmes, educational authorities should arrange for local schools to carry out such profiling of migrant children, particularly with a view to ensuring that they attain the required level of knowledge and proficiency in specific subjects.

iii. Teaching styles and methods should be adapted to the personal needs and learning experiences of the newly-arrived migrant child.

iv. Schools should consider inviting university and/or teacher training institutions to co-operate with them in providing migrant children with the necessary support and assistance in learning difficult subjects. Schools should also consider inviting students enrolled in these institutions to provide voluntary support to these children in following the school curricula.

v. During the early stages of their school career and for a limited period of time only, educational authorities might consider making arrangements for migrant children to be able to undertake parts of their studies in their mother tongue as this will assist the children in developing the cognitive and academic skills necessary to successfully pursue their studies in the language of instruction.

vi. Different methods of offering assistance and support to newly-arrived migrant children by their fellow pupils (for example, mentoring schemes or peer learning) should be actively promoted and facilitated by educational authorities and schools.

vii. In the absence of an already existing general system of monitoring of the progress of children in school, educational authorities and schools should establish a system of constant monitoring of the progress of migrant children (especially newly-arrived migrant children) with a view to preventing them from dropping out of school and to supporting their social integration.

8. In order to ensure that all migrant children leave school with a recognised qualification (for example, diploma, certificate) and that they have a real chance of pursuing a successful career afterwards, educational authorities, in co-operation with NGOs and migrant associations, should encourage the return to school of those children who have dropped out and/or abandoned their studies. Where appropriate, this might be achieved through closer co-operation with the child's parents and offering flexible modes of learning (for example, part-time school attendance).

E. Civil society, migrants and their associations

9. Civil society and, in particular, migrants' associations should be actively encouraged to support the integration of migrant children into both school life and the wider society. To do this, member states should put in place such measures as they consider appropriate including those set out below. Where necessary, these measures should benefit from appropriate public funding.

i. Regular forms of consultation and participation (for example, councils and round tables) should be put in place with a view to developing and maintaining co-operation between schools, relevant authorities (social and health authorities) and civil society, including migrants and their associations.

ii. Migrants and their associations should be encouraged to organise the following initiatives in co-operation with local authorities and schools:

- language courses for children of preschool age;
- participation of migrant children as mentors in mentoring schemes for newly-arrived children of migrants;
- preparation of children approaching school-leaving age for the labour market;
- information campaigns and cultural events involving all children (migrants and non-migrants alike) and aimed at promoting awareness of cultural, religious and linguistic diversity.

10. School buildings should be made available to migrants and their associations outside school hours (evenings and weekends) for the purpose of organising collective social, sport and cultural activities with the participation of migrant children.

F. Support for parents of migrant children

11. In order to facilitate the integration of children of migrants into both school life and the wider society, member states should put in place measures to support and strengthen the parental role of migrant parents and parents of immigrant background. They should adopt such measures as are most suited to the particular circumstances prevailing in their countries and the situation of the immigrant population, including the measures set out below. The general policy of member states should be to promote the financial independence of migrant parents through appropriate social, employment, education and training measures.

i. Preschool institutions, in co-operation with migrants and their associations, should organise regular joint activities for parents and children with a view to encouraging language learning by children of preschool age through play and creative pursuits.

ii. Co-operation between parents and schools should be developed, including joint activities at school involving parents and children (both migrants and non-migrants) and that focus on developing language skills and cultural exchanges (for example, day trips, cultural events and sports activities).

iii. Schools should offer migrant parents advice and guidance in the form of one-to-one or group consultations and, if possible, training with a view to enhancing the parents' capacity to assist in their children's education, development and integration. In giving guidance and counselling to migrant parents, their views on parenting and educational policies should be taken into account. Local authorities should consider organising groups of parents (both migrants and non-migrants) to discuss parenting, educational policies and other issues relevant to the upbringing and welfare of their children.

iv. Migrant parents should be given the opportunity to learn the language of instruction of their children.

v. Migrant parents should be encouraged to participate actively in school events and activities together with their children.

vi. Migrant parents should be actively included in the permanent and regular mechanisms of communication and information exchange between schools, parents and local communities (for example councils, regular consultations).

vii. Educational authorities and schools should provide information for migrant parents, particularly for newly-arrived migrants, about the national school system, including its organisation, opportunities for preschool education, conditions for enrolment, the curricula, examinations and the rights and obligations of parents and their children. Several means of making this information available and targeting it to migrant parents should be considered, for example, parents' meetings, brochures, leaflets and videos/DVDs. Migrants and their associations should be encouraged to disseminate this information. The information should be provided in a manner that can be easily understood by the parents.

viii. Relevant national, local and/or regional authorities should provide information to newly-arrived migrant parents regarding the opportunities available to them to participate in working and community life as well as on the possibilities of becoming financially independent.

G. Facilitating transition from school to the labour market

12. In order to ensure a smooth transition from school to the labour market, develop the child's full potential and avoid unemployment, member states should put in place measures for the benefit of children of migrants and of immigrant background who are approaching school-leaving age and young people seeking employment or having recently found employment. These measures should be adapted to the conditions prevailing in member states and include those set out below.

i. Young migrants should be entitled to information, advisory, guidance and counselling services that are provided by education and employment authorities to support them in developing career management skills necessary to enter and successfully perform in the labour market.

ii. Advisory, guidance and counselling services should include information on apprenticeships and mentoring schemes. These services may include a permanent staff member appointed as a career advisor with special responsibility for particularly disadvantaged children, including migrant children, and career development centres for young people that involve both the relevant education and employment authorities.

iii. Education authorities and schools should consider offering, in appropriate cases, flexible study arrangements (for example, evening classes, part-time school attendance, combined study and work schemes).

iv. Public authorities should encourage employers, particularly in areas and/or sectors where recruitment through informal networks is prevalent, to organise workplace induction schemes with a view to giving them an opportunity to meet future school leavers and assess their knowledge, skills and aptitude.

v. Mentoring schemes, particularly for newly-arrived migrant children in their final years of school, should be encouraged and supported through, for example, financial incentives, making available specialised staff and recruiting retired and/or senior employees to act as mentors.

vi. Public authorities and NGOs should work directly with private industry and public employers to raise awareness of the possible discriminatory consequences of their recruitment procedures in relation to young school leavers of immigrant origin and of the need to take appropriate action. In this respect, particular attention should be given to ensuring their effective access to apprenticeships and other workplace training schemes.

H. Children living in segregated areas and disadvantaged areas

13. The specific problems of children of migrants and of immigrant background living in segregated areas and disadvantaged areas should be addressed in the context of a coherent and comprehensive strategy for managing the problems of these areas. Local authorities should take measures to ensure that children grow up in a safe and attractive environment.

14. Schools in segregated and disadvantaged areas must be able to offer high quality education if they are to attract children and parents of different social and ethnic background and thereby halt and reverse the process of marginalisation and deprivation. It is important, therefore, that they receive the necessary support from the relevant public authorities (national, regional and local) and the local community to do so.

15. The various measures described in sections A to G of this appendix have particular importance for children of migrants and of immigrant background living in segregated areas and disadvantaged areas. Member states should, however, consider adapting and supplementing these measures as appropriate in order to help these children overcome the special difficulties of their environment. Member states should, in particular, consider implementing the measures set out below.

i. Language support measures should be strengthened in the schools in these areas. Local associations, voluntary and migrant organisations should also be encouraged to provide supplementary language activities outside school.

ii. Training in non-violent conflict resolution for staff working with children in these areas and for the children themselves should be organised by the appropriate authorities with the support and participation of NGOs and migrants' associations.

iii. Children should be encouraged by local authorities to participate actively in the work of their local youth councils.

iv. Local authorities should encourage schools to promote links between children of different social and ethnic backgrounds and from different areas.

v. Local authorities should ensure that children have the necessary space to learn and play, both at home and outside. They should provide and maintain suitable playgrounds and sports facilities, and organise community events for children.

vi. Local authorities should encourage employers from outside segregated areas and disadvantaged areas to employ young people from these areas and, where appropriate, consider setting aside a number of reserved apprenticeship places for them.

vii. National and local authorities should provide the necessary resources to facilitate the design and implementation of special staff development programmes for people working in nurseries, preschool institutions and schools in segregated areas and disadvantaged areas.

APPENDIX VIII

Recommendation Rec(2008)10
of the Committee of Ministers to member states
on improving access of migrants and persons of immigrant background to employment

*(Adopted by the Committee of Ministers on 10 July 2008
at the 1032nd meeting of the Ministers' Deputies)*

The Committee of Ministers, under the terms of Article 15.b of the Statute of the Council of Europe,

Considering that the aim of the Council of Europe is to achieve greater unity between its members and that this aim may be pursued, in particular, through common action in the fields of migration, integration and community relations;

Recalling the 1950 Convention for the Protection of Human Rights and Fundamental Freedoms (ETS No. 5) and its protocols;

Recalling the 1996 revised European Social Charter (ETS No. 163);

Recognising the important contribution of migrants and persons of immigrant background to the economic development of the member states of the Council of Europe and the need to enable them to develop and make full use of their potential, knowledge and skills for the benefit of themselves and the societies in which they live;

Recognising that only through the successful social, economic, cultural and political integration of migrants and persons of immigrant background can they realise their full potential, and that this requires a mutual effort to adapt by migrants, persons of immigrant background and the societies in which they live;

Acknowledging, however, that there still exist many obstacles to the access of migrants and persons of immigrant background to the labour market of the countries in which they live, and that these obstacles may result from persistent discriminatory practices;

Wishing to draw attention to and address the continuing difficulties experienced by large numbers of migrants and persons of immigrant background in successfully entering the labour market and having their skills and potential properly recognised;

Considering that there exists, within the member states of the Council of Europe, a wealth of experience and expertise on how to improve the access of migrants and persons of immigrant background to employment, and wishing it to be shared and developed among them;

Defining migrants and persons of immigrant background for the purposes of this recommendation as persons (whether nationals or non-nationals) who are legally residing in the member state, who have the right to do so on a long-term basis and enjoy legal access to employment,

Recommends that, with a view to ensuring the fullest possible integration of migrants and persons of immigrant background in the labour market, the governments of the member states:

- i. review the effectiveness of all relevant policy and practice in their country and, for this purpose, establish an effective system of evaluation and efficiency control;
- ii. implement, where necessary and in relation to the areas specified below, measures based on the general principles and guidelines set out in the appendix:
 - general measures;
 - entry and re-entry into the labour market;
 - recruitment;
 - career development.

These measures should cover access to both salaried and self-employed activities.

Concerning the communication of this recommendation and its follow-up,

Member states are encouraged to translate the present recommendation into their official language(s) so as to ensure that relevant actors fully understand its implications. Member states should, in any event, draw its principles to the attention of the public and private bodies concerned in their respective countries, via the appropriate national channels;

Member states should also define indicators making it possible to measure compliance with the principles of the present recommendation and application of its provisions.

Appendix to Recommendation CM/Rec(2008)10

General principles

1. Integration policies should respect the cultural diversity of society, and always avoid stigmatisation of migrants and persons of immigrant background.
2. To be successful, integration policies must be based on the mutual understanding and respect of all members of society. In order to contribute to this, it is essential for everyone to be aware, firstly, of the importance of respecting the principles of freedom and tolerance in a democratic society and, secondly, of the role of immigration in the context of demographic change and the economic needs of society.
3. Policy and practice to improve the integration of migrants and persons of immigrant background into the labour market should be, whenever possible, an integral element of a general policy framework to eliminate all barriers to access to the labour market, such as discrimination, and promote actively equal treatment and opportunities.
4. There is a need for a blend of top-down and bottom-up approaches to policy development and practice. Policies to improve the integration into the labour market of migrants and persons of immigrant background should be pragmatic. Nationally defined policies should draw upon an analysis of good practice of policy implementation at local level and give encouragement to concerted action by local players (public employment service, local authorities, employers and trade unions, NGOs and migrants associations) for their implementation.

Guidelines

A. General measures

I. Diversity and non-discrimination

5. In line with the general principles, national authorities should seek to foster an environment that is conducive to the maintenance and promotion of equal opportunities and non-discrimination in society at large and in the labour market in particular. Promoting diversity in the workplace and combating discrimination against migrants should be fundamental objectives of labour market policy and implemented by means of changes to both law and practice.

6. The effectiveness and relevance of the legal framework aimed at combating discrimination in general – and in the labour market in particular – should be reviewed and, where necessary, strengthened.

7. Particular attention should be given to guaranteeing full access of migrants to the courts and appropriate legal remedies. In this context, consideration should be given to developing simpler and more accessible alternative means of resolving disputes to litigation in court, such as ombudsmen or independent agencies responsible for promoting equal treatment.

II. Labour market partnerships

8. Public authorities should encourage and facilitate networks of local labour market actors (employment agencies, employers and their organisations, trade unions, educational and training institutions including schools, NGOs and migrant associations). These networks should pursue bridge-building activities between local employers and migrants and persons of immigrant background with a view to promoting mutual confidence and sharing relevant labour market information. Such activities might include open days for labour offices, workplace visits, information platforms for employers, trade unions and migrants' associations, and participation of local employers in local community activities.

9. Public authorities should encourage NGOs to provide services aimed at promoting the access of migrants and persons of immigrant background to the labour market. Where necessary, they should be offered incentives to do so (for example in the form of appropriate funding).

III. Information and awareness raising

10. Public authorities, in co-operation with NGOs, should strive to ensure that employers' recruitment practices do not exclude migrants. This might be done by means of information on the regulations concerning access of migrants to employment, on non-discrimination law and policy, and on the economic and other benefits of having migrants in the workforce.

11. Information about complaint mechanisms should be widely available and disseminated in an effective manner (for example in local employment offices and in businesses).

12. Local information networks and contact points should be developed by public authorities in co-operation with NGOs and migrants' associations to improve the dissemination of labour market information among migrants, persons of immigrant background and, where possible, prospective migrants in their country of origin. These measures should include information on:

- employment rights and obligations;
- labour market policy, rules and practices;
- employment opportunities.

IV. Human resources and training

13. Public authorities should take measures to ensure that the composition of the staff working in the public sector, in particular those responsible for delivering labour market services, take into account the diversity of the population in the member state.

14. Public authorities should actively promote and facilitate training on diversity management¹ and prevention of discrimination for managers and human resources personnel working in the public and private sectors.

15. Public sector employers should provide appropriately tailored training to their staff on diversity management and prevention of discrimination.

B. Preparation for entry and re-entry into the labour market

Introduction

Several practical obstacles exclude many migrants and persons of immigrant background from the labour market or prevent them from entering it successfully. These obstacles also apply to many migrants and persons of immigrant background who wish to re-enter the labour market and include:

- insufficient command of the language of the receiving society (especially in the case of first generation migrants);
- absence of professional experience in the receiving society and references from previous employers (particularly in the case of newly arrived migrants);
- absence of adequate procedures in receiving countries for recognising and validating the skills and qualifications (including certificates) of migrants, whether acquired formally or informally;
- lack of or limited access for migrants to informal labour market networks through which many employment opportunities are secured;
- discrimination by employers (direct and indirect) against migrants and persons of immigrant background.

With a view to overcoming these obstacles, member states are encouraged to introduce the measures described below or take the necessary steps to encourage the relevant bodies or persons to do so.

I. Introduction sessions and introductory programmes

16. Newly arrived migrants should benefit from short introduction sessions in order to facilitate their integration into the labour market. These sessions should be designed to provide migrants with the minimum linguistic skills, practical information and knowledge of the receiving society and its labour market.

- Persons intending to emigrate as part of a work permit or family reunion scheme might also benefit from such sessions before leaving their country of origin.

¹ Diversity management is a principle aimed at improving the performance of an organisation or a business through recognising, appreciating and utilising the talents and contributions of all individuals regardless of gender, age, ethnicity, race, religion, disability, sexual orientation, etc. This principle should apply to all spheres of activity such as recruitment procedures, human resource management, promotion, work environment issues and providing services.

- In order to ensure their effectiveness, introduction sessions should be delivered, so far as possible, in the mother tongue of the migrant or in a language that he or she understands.
- In principle, participation in the sessions should be voluntary.

17. Introductory programmes should be made available to migrants, especially newly arrived, in order to facilitate their integration into the labour market and reduce the risks of future unemployment. They should be extensive, targeted and individually tailored measures. They should be relevant to the specific national context and comprise:

- practical information on access to social and economic rights;
- information on the relevant administrative procedures governing entry into the labour market;
- vocational guidance and training in relevant job search skills (for example, job application and interview techniques);
- opportunities for work experience, preferably within the individual's professional field;
- language training;
- follow-up in the form of mentoring by members of professional organisations and/or second and subsequent generation immigrants;
- development and follow-up of individual action and career plans.

18. The results of introduction courses and introductory programmes should be regularly and properly evaluated and, if necessary, their content modified.

II. Language training

19. Adequate knowledge of the language of the country in which they live is the most important means by which migrants can successfully enter into the labour market. Migrants should be actively encouraged to participate in language training programmes. Participation in language courses that lead to acquiring formal language proficiency certificates might, if national legislation requires, be made compulsory.

20. Languages courses for migrants should be adapted to their different needs and include workplace-related language skills. For this purpose, the following factors should be taken into account:

- length of residence in the country;
- educational level and field;
- professional experience;
- mother tongue.

21. Language courses should be provided by the relevant national or local authorities in co-operation with employers, trade unions, professional organisations, NGOs and migrants' associations.

22. A system of quality control should be established in order to guarantee the content of the language courses and the qualifications of the trainers.

III. Information, advice, counselling and other support

23. Public employment services (or their equivalent) should disseminate information on job vacancies at national, regional and local level through community networks and, particularly networks of migrants' associations, in order to compensate for the lack of or limited access of migrants to informal labour market networks.

24. Public employment services (or their equivalent) should assist migrants and persons of immigrant background in the preparation of individual action and career plans designed to match or adjust their skills to the needs of the labour market.

25. Relevant public authorities should encourage employers to participate in mentoring programmes for migrants and persons of immigrant background and offer them workplace induction programmes in order to assist them in acquiring workplace skills and broadening their employment opportunities.

IV. Improving the recognition and validation of migrants' skills

26. Accelerated and simplified procedures for the recognition of foreign diplomas should be introduced.

27. Procedures to validate skills that have been informally acquired in the country of origin should be developed. These might include a competence passport based on skills assessed by means of interviews and practical tests.

28. Employers should be encouraged to provide opportunities at their workplace or in a simulated work environment for migrants to demonstrate their skills, knowledge and ability to integrate into the employer's workforce.

V. Active labour market measures

29. Public authorities should ensure that migrants are not excluded from labour market policy measures that offer special incentives for employers to hire people who have been unemployed for long periods, such as:

- time-bound wage subsidies programmes;
- workplace training (with elements of language training) and other means of encouraging participation in the labour market;
- subsidised internships and traineeships.

C. Recruitment practices

Introduction

Recruitment practices are often a major obstacle to migrants and persons of immigrant background wishing to enter or re-enter the labour market or secure new employment. Some of these practices can be particularly unfavourable to migrants:

- direct discrimination by some employers, particularly the possible exclusion of job applicants whose surnames are closely associated with migrants or persons of immigrant background;
- established and closed recruitment networks that exclude migrants and persons of immigrant background;
- employment services that comply with known or perceived hostile attitudes of individual employers to migrants and/or persons of immigrant background and refuse, consequently, to refer to them job candidates from these groups;
- discriminatory job criteria, whether direct or indirect, for example imposing criteria that are unnecessary for adequately undertaking the tasks of the post.

With a view to eliminating these practices and more generally improving recruitment practices for the benefit of migrants and persons of immigrant background, member states are encouraged to introduce the measures described below or take the necessary steps to encourage the relevant bodies or persons to do so.

I. Reviewing recruitment practices

30. Employers and their human resources personnel should be encouraged to review their recruitment practices on a regular basis with a view to eliminating any discriminatory requirements, procedures or practices that exclude or treat unfavourably migrants and persons of immigrant background. Trade unions and staff representatives should be invited to participate in such reviews.

31. In reviewing their recruitment practices, employers should pay particular attention to the following:

- identifying the scope for alternative and transferable skills and/or qualifications;
- the manner in which job vacancies are advertised, particularly where these are filled by means of informal, closed networks;
- procedures for conducting interviews and tests.

II. Public sector employment

32. Recruitment in the public sector should only be through transparent formal procedures and might include, when appropriate, a statement encouraging migrants and persons of immigrant background to apply.

III. Job applications

33. Time-bound rules requiring employers to accept anonymous job applications that prevent them from selecting applicants on the basis of their names and the perceived association between the name and the applicant's origins should be considered only after a thorough consultation and the evaluation of trial projects undertaken for this purpose.

34. The practice of requiring or inviting job applicants to submit their photographs with their CVs should be discouraged.

IV. Mentoring schemes

35. Mentoring programmes to facilitate contacts with employers for migrants and persons of immigrant background seeking employment should be encouraged by relevant public authorities. These mentoring programmes, involving one-to-one support, should involve employers, retired senior employees and members of trade unions, professional organisations and migrant associations.

D. Staying employed and career development

Introduction

Many migrants and persons of immigrant background are vulnerable to significant changes in labour market conditions, particularly in labour demand. They are especially vulnerable to redundancy and long-term unemployment.

Migrants and persons of immigrant background in the labour market are particularly vulnerable in comparison with non-migrants. They more often work in posts that are below their qualifications and have fewer possibilities to develop a career corresponding to their skills and interests.

Also, their horizontal and (especially) vertical mobility in the labour market is lower as they tend to stay in the same job for a very long time even if they make efforts to secure promotion or find a better job.

With a view to reducing the vulnerability of migrants and persons of immigrant background with regard to unemployment, increasing their mobility in the labour market and improving their chances to develop successful careers, member states are encouraged to introduce the measures described below or take the necessary steps to encourage the relevant bodies or persons to do so.

I. Career development

36. Employers should enable migrants and persons of immigrant background to find employment corresponding to their qualifications and assist them in using and developing their skills in order to make them more competitive on the labour market, to reduce the risk of being made redundant and to give them access to more satisfying employment. In order to achieve this, employers should be encouraged to establish a system of testing their employees' skills with a view to offering them adequate professional training, requalification and vocational guidance.

II. Training

37. Incentives for continual participation in language training (particularly training aimed at improving work-related skills) should be offered by employers to migrants.

38. Employers should ensure that migrants and persons of immigrant background in their employment have equal access to opportunities for promotion through the provision of training and re-training programmes.

III. Social partners

39. Representatives of employers and trade unions should be encouraged to conclude special agreements aimed at preventing discrimination and promoting diversity in the workplace and at the full integration of migrants and persons of immigrant background.

40. Employers, in co-operation with trade unions, should establish mentoring schemes to help newly recruited employees, especially migrants, to integrate in their workplace and better understand the specific culture, customs and procedures of the business.

41. Trade unions and migrants' associations should co-operate with a view to encouraging the participation of migrants and persons of immigrant background in trade unions and other workplace representative structures.

42. Representatives of employers and trade unions should ensure that redundancy and dismissal procedures are not indirectly discriminatory against migrants and persons of immigrant background. The procedures should be closely monitored in order to ensure that the reason for any such dismissal or redundancy is not based on an employee's nationality, race or origin.

APPENDIX IX

INTEGRATION INDICATORS: ASSESSMENT OF THE SOCIAL COHESION OF MIGRANTS

(Extract from the methodological guide for the concerted development of social cohesion indicators)

2. Migrants

2.1 Situations

a. Equity in the enjoyment of rights/non-discrimination

Questions	Indicators
1. Are immigrants discriminated against in any way with regard to their basic needs?	<p>Employment/income</p> <ul style="list-style-type: none"> ■ Job/qualifications relationship among foreign citizens compared with the population as a whole ■ Pay differential between the national and foreign population ■ Main vocational integration sectors ■ Access of foreign citizens to the civil service ■ Comparative unemployment rate of nationals and immigrants with higher education qualifications ■ Comparative poverty <p>Social services</p> <ul style="list-style-type: none"> ■ Take-up of social benefits ■ Access to basic social services ■ Access to health services <p>Housing</p> <ul style="list-style-type: none"> ■ Proportion of social housing units reserved for accommodating migrants ■ Access to rented accommodation <p>Support structures</p> <ul style="list-style-type: none"> ■ Ease of access to public welfare facilities ■ Ease of access to voluntary welfare facilities <p>Basic services</p> <ul style="list-style-type: none"> ■ Access to basic services ■ Access to basic public services ■ Access to banking services ■ Access to justice
2. Are the specific needs of immigrants catered for?	<ul style="list-style-type: none"> ■ Availability of training courses in several languages ■ Ease of access to translation services
3. What is the situation regarding asylum seekers and migrants in irregular situations?	<ul style="list-style-type: none"> ■ Extent of application of the Geneva convention ■ Access of asylum seekers to basic services ■ Access of immigrants in an irregular situation to basic services and housing ■ Ratio between the annual number of regularisations and expulsions ■ Proportion of successful applications for political asylum
4. Level of integration of immigrants' children (2nd generation)?	<ul style="list-style-type: none"> ■ Indicator of social mobility ■ Level of education ■ Growth of ghettos ■ Persons in the public eye of immigrant origin

b. Dignity/recognition

Questions	Indicators
1. How is the dignity of migrants preserved in the integration process?	<ul style="list-style-type: none"> ■ Migrants who have been victims of crime ■ Convictions for physical attacks ■ Number of physical attacks against migrants ■ Proportion of immigrants who appear before the courts ■ Migrants in prison compared with the national population ■ Access to language courses ■ Courses to learn and understand the basic aspects of the host society
2. Are the conditions in place to bring about a pluralist society?	<ul style="list-style-type: none"> ■ Consideration of ethnic and religious differences in the media ■ Consideration of different cultures and identities at school
3. How is the dignity of asylum seekers, irregular immigrants and seasonal workers preserved? What is the situation of migrants leaving prison?	<ul style="list-style-type: none"> ■ Conditions for sending back asylum seekers whose applications have been refused ■ Conditions in which seasonal workers are housed ■ Access to maternity hospitals for asylum seekers ■ Existence of a double punishment
4. What are the risks of entering into a cycle of exclusion/conflict?	<ul style="list-style-type: none"> ■ Manifestations of racism ■ Violence/youth crime among young immigrants or children of immigrants ■ Truancy among children of immigrants

c. Personal development/autonomy

Questions	Indicators
1. To what extent are immigrants' personal and family development and autonomy ensured in the country of reception?	<ul style="list-style-type: none"> ■ Participation of immigrants in continuing education or training ■ Proportion of immigrants without vocational training ■ Proportion of immigrants living apart from their family ■ Duration of family separation ■ Average length of time taken to obtain a work permit for spouses
2. How are immigrants integrated into society?	<ul style="list-style-type: none"> ■ Mixed marriages ■ Waiting period for naturalisation ■ Number of conditions for naturalisation ■ Residential mobility of immigrants ■ Occupational mobility of immigrants ■ Social mobility of migrants ■ Intergenerational social mobility of migrants
3. Are asylum seekers and irregular immigrants given any specific assistance?	<ul style="list-style-type: none"> ■ Support for those without the requisite official documents
4. What are the dangers of a lack of personal development for immigrants?	<ul style="list-style-type: none"> ■ Existence of racist groups and events ■ Annual number of racially motivated crimes

d. Participation/commitment

Questions	Indicators
1. What forms of involvement and dialogue are there in the host society?	<ul style="list-style-type: none"> ■ Participation in immigrants' organisations for the defence of their rights and interests ■ Participation of immigrants in the work of political parties ■ Participation of immigrants in trade union activities ■ Rate of immigrants' participation in elections ■ Presence of immigrants on lists of candidates
2. What social innovations have been developed as a result of immigrants' commitment in public life?	<ul style="list-style-type: none"> ■ Involvement in community development projects ■ Proportion of migrants living in a mixed neighbourhood ■ Image of migrants in the media ■ Participation in institutions and organisations
3. What opportunities are there for participation and commitment by asylum seekers?	<ul style="list-style-type: none"> ■ Existence of public debate on applications for asylum
4. What are the threats to migrants' participation?	<ul style="list-style-type: none"> ■ Existence of public debate on the participation of migrants in elections

2.2 Basic components of life

Questions	Indicators
1. What is the level of immigrants' satisfaction with regard to their situation?	<ul style="list-style-type: none"> ■ Perception of access to employment ■ Perception of access to housing ■ Perception of access to health care ■ Perception of access to education ■ Perception of access to information
2. How are immigrants viewed by society?	<ul style="list-style-type: none"> ■ Integration and assimilation ■ Opinion on immigrants' rights ■ Image of minorities and immigrants in the media and popular culture
3. Is integration a value promoted by society?	<ul style="list-style-type: none"> ■ Proportion of votes given to political parties that support integration ■ Opinion on anti-racism measures to be taken
4. What is the level of confidence within immigrant communities and between immigrants and the rest of society?	<ul style="list-style-type: none"> ■ Public attitudes towards immigrants ■ Migrants' attitude to a diverse society ■ Applications for naturalisation in the total immigrant population
5. What bonds of solidarity exist between different groups of immigrants and between immigrants and the rest of society?	<ul style="list-style-type: none"> ■ Mixed membership of associations

2.3 Action

	Originating action	Regulatory action	Remedial action	Facilitating action
Central government	<ul style="list-style-type: none"> ▪Anti-discrimination legislation ▪Statutory rules on the provision of translations in the public services and courts ▪Statutory provisions on the right to family reunification ▪Immigrants' voting rights at local level ▪Immigrants' voting rights at national level ▪Access of foreigners to the civil service ▪Freedom of worship ▪Freedom of movement for asylum seekers 	<ul style="list-style-type: none"> ▪Proactive measures with regard to immigration 	<ul style="list-style-type: none"> ▪Procedures for dealing with asylum seekers 	<ul style="list-style-type: none"> ▪Existence of reception and support services ▪Promotion of business creation by migrants ▪Public funding for organisations for the defence and protection of migrants
Local authorities				<ul style="list-style-type: none"> ▪Reception and assistance centres for migrants set up by the local and regional authorities ▪Establishment of a leadership body to represent migrants in public affairs ▪Participation in land-use planning – consultation on urban development
Firms/market		<ul style="list-style-type: none"> ▪Policies of personnel departments with regard to equal opportunities in companies 	<ul style="list-style-type: none"> ▪Action by companies to regularise the position of asylum seekers 	
NGOs	<ul style="list-style-type: none"> ▪Organisations for the defence of immigrants' rights 		<ul style="list-style-type: none"> ▪Organisations and bodies for the defence or protection of immigrants in an irregular situation 	<ul style="list-style-type: none"> ▪Reception and assistance centres for migrants set up by citizens

APPENDIX X

EVALUATION OF ACTIVITIES IN THE FIELD OF MIGRATION IN LINE WITH
THE ACTION PLAN OF THE 3rd SUMMIT OF HEADS OF STATE AND
GOVERNMENT (WARSAW) AND THE 7th CONFERENCE OF EUROPEAN
MINISTERS RESPONSIBLE FOR MIGRATION AFFAIRS (HELSINKI)

Evaluation of activities in the migration field			
<i>Helsinki Conference Plan of Action</i>		Regional and international co-operation Strengthen the dialogue and partnership between member States and, when relevant, with non-member States	
<i>Warsaw Summit Action Plan</i>		Line of Action Chapter III. – Building a more humane and inclusive Europe 8. Managing migration	
Activity	Relevance to core values	Added value (intrinsic)	Added value (in relation to other CoE bodies and organisations)
The Political Platform of the Council of Europe on Migration Six sessions (2003-2006) to promote dialogue and partnership between countries of origin, transit and destination. <u>Themes of sessions:</u> Improving information for emigrants / integration of migrants as a factor of development (December 2003). Student mobility and development (May 2004). Unaccompanied minors (November 2004). Co-development / links between migrants and their countries of origin (April 2005). Media image of migrants / improving reception of migrants through information in countries of origin (October 2005). Challenges for countries of origin / regional co-operation in the Euro-Mediterranean area (November 2006). Development of “migration strategy from the point of view of the countries of origin”.	Seeks to promote dialogue and partnership between receiving and sending countries including non-member states (democratic values) on improving the capacity of member states to manage an orderly migration in compliance with human rights of migrants and social cohesion (human rights).	Initiates dialogue and explores the possibilities for improved co-operation at different levels and on an equal footing. Identifies migration challenges and explores the possibilities for orientating appropriate action and follow-up. Remains a recent initiative that still requires development in order to achieve its political potential (notably, the development of joint programmes on migration management based on human rights, democratic values and the rule of law). Representatives from many countries of origin, including Philippines, China, Vietnam, Bangladesh, Pakistan, Senegal, Morocco, Egypt, Algeria, Tunisia have participated in one or more of the sessions. It is difficult to measure the impact on national policies and practices and practices given the short period of time during which this activity was developed. The 2 nd session (May 2004) has resulted in Rec(2006)9 on the admission, rights and obligations of migrant students and co-operation with countries of origin. The 3 rd session (October 2004) set the ground for the regional conference (Malaga) which resulted in a recommendation on life projects for unaccompanied migrant minors.	Unique in its aim to bring together government experts, parliamentarians, local and regional authorities and civil society organisations in a single pan-European body to which source countries for migration to Europe are associated. Promotes synergy within CoE through the joint organisation of sessions by CDMG, PACE (Migration, Refugees and Population Committee) and the North-South Centre The 5 th session (October 2005) contributed to the joint organisation of a conference within the EU funded European programme Mediam’Rad, Ethnic and diversity media in Europe.

Activity	Relevance to core values	Added value (intrinsic)	Added value (in relation to other CoE bodies and organisations)
<p>Regional conferences on migration</p> <p>Six conferences (2001-2005)</p> <p>Irregular migration and dignity of migrants (Athens, October 2001) – proceedings published.</p> <p>Labour migration in Europe – an alternative to labour migration (Sofia, October 2002).</p> <p>Migration in the Mediterranean (Malta, April 2003).</p> <p>Migration policies on the eve of the EU enlargement: what challenges for future co-operation within the Eastern European region (Kiev, October 2003) – proceedings published.</p> <p>Migrants in transit countries: sharing responsibility for management and protection (Istanbul, September 2004) – proceedings published.</p> <p>Migration of unaccompanied minors: acting in the best interests of the child (Malaga, October 2005) – proceedings published.</p>	<p>Seeks to promote within a regional perspective dialogue and partnership between receiving and sending countries including non-member states (democratic values) on improving the capacity of member states to manage an orderly migration in compliance with human rights of migrants and social cohesion (human rights).</p> <p>Seeks to identify good practices on specific migration aspects (Sofia, Malaga) and to explore specific situations that countries due to geographical position (Greece - irregular migration, Turkey – transit migration) (human rights)</p>	<p>Opportunity for dialogue and partnership on specific issues relating to migrants and migration at a regional level.</p> <p>Participation of non member states presenting point of view of countries of origin.</p> <p>Promoting the human rights of migrants by identifying areas where their rights are at risk.</p> <p>Sharing good practice and developing new policy proposals (co-operation).</p> <p>The regional conference in 2005 led to a recommendation on life projects for unaccompanied migrant minors.</p>	<p>Promotes synergy within CoE through participation PACE, Congress of Local and Regional Authorities and the HR Commissioner.</p> <p>Provides a forum for the EU and other international organisations (IOM, UNHCR, UNESCO, UN Committee on the rights of the child, ILO, Commonwealth of Independent States - CIS) to treat specific issues relating to migrants and migration from a human rights perspective.</p>

<i>Helsinki Conference Plan of Action</i>		Regional and international co-operation Develop programmes with countries of other regions in order to protect the rights of migrants	
<i>Warsaw Summit Action Plan</i>		Line of Action Chapter III. – Building a more humane and inclusive Europe 8. Managing migration	
Activity	Relevance to core values	Added value (intrinsic)	Added value (in relation to other CoE bodies and organisations)
Migration and North-South dialogue Series of technical workshops bringing together different actors from particularly Africa, with European counterparts to build common migration related projects. 1 st series – migration and co-development 2 nd series - image of migrants in the medias in the context of intercultural dialogue (discontinued) Political Platform of the Council of Europe on Migration - see table “strengthen dialogue”	Promotion of dialogue and partnership (particularly intercultural), enhancing the contribution of migrants and their associations (democracy/co-operation); promotion of the rights of migrants (human rights). Promotion of the role of migrants in achieving millennium goals like the reduction of poverty, the promotion of development, the enhancement of the democratic values in the countries of origin Combating racism and xenophobia in the media (democratic values, human rights)	Policy and practice recommendations from the workshops are derived from intercultural and inter-regional collaboration (although national authorities did not generally participate). With the limited resources available, it has not been possible to translate this dialogue and partnership into joint programmes. Origin of the CDMG activity on a recommendation on migrants' associations and co-development.	Promotes synergy within CoE through the joint organisation of workshops by DGIII and the North-South Centre and participation of PACE (Migration, Refugees and Population Committee).
<i>Helsinki Conference Plan of Action</i>		Regional and international co-operation Develop a closer and sustained co-operation with international organisations and NGO's	
<i>Warsaw Summit Action Plan</i>		Line of Action Chapter IV – Fostering co-operation with other international and European organisations and institutions	
Activity	Relevance to core values	Added value (intrinsic)	Added value (in relation to other CoE bodies and organisations)
European Committee on Migration (CDMG) CDMG encourages participation of the 14 international organisations and NGOs having participative or observer status in the committee. Many participants/observers take advantage of the regular agenda item in meetings of the committee to present their work (Activities of the EU and other international organisations in the field of migration). International organisations and NGOs are regularly requested by CDMG to share their expertise in the technical work of the committee and participate in the conferences and other events that it organises (eg the Political Platform and in regional conferences).	Co-operation enhances specific CoE role in relation to migrants and migration (human rights, democracy). Support to the role of civil society in relation to migrants and migration (democracy).	Recognition of the role of the CoE in relation to migrants and migration. Improved relevance and quality of work undertaken in relation to migrants and migration through co-operation with other specialist organisations (creating synergies, sharing expertise and avoiding overlap). Contributes to the coordination of international organizations in the field of migration and to avoid duplication and overlapping	The 10 CoE bodies/committees that participate in the meetings of CDMG benefit from the committee's co-operation with other international organisations. The following are active partners in the work of CDMG: EU Commission ILO OECD IOM UNHCR Business Europe CCME ICMC More recently, OSCE and ETUC have begun to participate in CDMG.

<i>Helsinki Conference Plan of Action</i>		Demographic dimension of Migration Propose a long term perspective of migration and integration and implement adequate statistical surveys	
<i>Warsaw Summit Action Plan</i>		Chapter III. – Building a more humane and inclusive Europe 1. Ensuring social cohesion 8. Managing migration	
Activity	Relevance to core values	Added value (intrinsic)	Added value (in relation to other CoE bodies and organisations)
Trends in International Migration in Europe Series of annual reports (1996 -2005). Series interrupted in 2006 for budgetary reasons and sun-setting of the linked Demographic Year book. <i>See also the following studies prepared under the auspices of the European Population Committee:</i> - N° 38: The demographic characteristics of immigrant populations, 2002 - N° 44: International labour migration, 2004	Statistical and analytical input to policy-making on migration policies relating to the rights of migrants (human rights)	Independent analysis of recent data on migration flows of benefit to national policy-makers, academics and other independent commentators as well as to CoE. The report includes statistics and analysis on stocks and flows of foreign population, labour migration, asylum, migration of expertise and irregular migration. It is an important tool in informing co-operation on migration and migration management. Lack of resources and the sun-setting of the European Population Committee have prevented the undertaking of a more comprehensive programme of reflection.	The annual report is a recognised product that contributes to the early availability of reliable and regular data on migration.

<i>Helsinki Conference Plan of Action</i>		Demographic dimension of Migration Facilitate and harmonise demographical data on the characteristics of immigrant populations at the national as well as international level	
<i>Warsaw Summit Action Plan</i>		Chapter III. – Building a more humane and inclusive Europe 1. Ensuring social cohesion 8. Managing migration	
Activity	Relevance to core values	Added value (intrinsic)	Added value (in relation to other CoE bodies and organisations)
No activities undertaken by CDMG. Financial contribution to reprinting Population Study N° 38: The demographic characteristics of immigrant populations, 2002 (<i>See above</i>).			

<i>Helsinki Conference Plan of Action</i>			
Integration policies Elaborate and promote new integration policies			
<i>Warsaw Summit Action Plan</i>			
Chapter III. – Building a more humane and inclusive Europe 1. Ensuring social cohesion 2. Building a Europe for and with children 6. Fostering intercultural dialogue 8. Managing migration			
Activity	Relevance to core values	Added value (intrinsic)	Added value (in relation to other CoE bodies and organisations)
Integration of children of migrants Recommendation Rec (2008) 4 on strengthening the integration of children of migrants and of immigrant background adopted by the Committee of Ministers on 20 February 2008. Training manual under preparation to advise service providers on implementation of Rec (2008) 4	The recommendation seeks to (inter alia): - ensure equal and effective access of migrant children and children of immigrant background to equal educational opportunities and participation in society (human rights - democracy), - involve civil society, migrants' associations and immigrant communities in supporting the integration of migrant children and children of immigrant background (democracy).	Detailed policy advice and guidance is provided to policy-makers and service providers on how to improve the integration of newly arrived children of migrants into the educational system, provide children of migrants with adequate language skills at a pre-school level, prepare children of migrants and of immigrant background approaching school leaving age for a successful transition from school to labour market, and overcome the difficulties faced by these children living in segregated and/or disadvantaged areas. Common policy position derived from international co-operation and the technical expertise of CDMG members rather than outsourcing. The policy proposals are based on a series of national consultations.	No equivalent text at pan-European level. Policy recommendations draw on expertise from the Steering Committee for Education, the European Commission and CCME. CDMG experts provided inputs on the basis of the policy recommendations to the 28th session of the Conference of European ministers responsible for family affairs (Lisbon, May 2006) and the Conference of European ministers responsible for education (Istanbul, May 2007). The policy recommendations are a relevant follow-up to PACE recommendations 1596 (2003) on the situation of young migrants in Europe, 1625 (2003) on policies for the integration of immigrants in Council of Europe member states, and 1740 (2006) on the place of the mother tongue in school education. The activity is a contribution to the intersectoral programme on Building a Europe for and with children.
Access of migrants to employment Recommendation Rec (2008) 10 on access of migrants and persons of immigrant background to employment adopted by the Committee of Ministers on 10 July 2008.	The recommendation seeks to (inter alia): - ensure equal and effective access of legally resident migrants and persons of immigrant background to employment (human rights, democracy), - eliminate discrimination in recruitment and career development (human rights, democracy) - promote participation in workplace structures (democracy).	Detailed policy advice and guidance will be provided to policy-makers and service providers The policy advice and guidance will represent a common policy position derived from international co-operation and the technical expertise of CDMG members rather than outsourcing.	The preparatory work draws on expertise from the ETUC and is a relevant follow-up to PACE recommendation 1625 (2003) on policies for the integration of immigrants in Council of Europe member states.

Activity	Relevance to core values	Added value (intrinsic)	Added value (in relation to other CoE bodies and organisations)
<p>Legal status of migrant students</p> <p>Recommendation Rec(2006)9 on the admission, rights and obligations of migrant students and co-operation with countries of origin adopted by the Committee of Ministers on 12 July 2006</p>	<p>Aims to:</p> <ul style="list-style-type: none"> - improve the legal status of migrant students and to facilitate their access to educational institutions and educational resources and to social and economic rights in the member states on conditions similar to those of national students (human rights). - promote international student mobility (human rights, democracy) - promote co-operation with countries of origin (democracy). 	<p>Reinforces the rights of student migrants.</p> <p>Facilitates international student mobility and also the link between student migration and (co-) development</p> <p>Common policy position derived from international co-operation and the technical expertise of CDMG members rather than outsourcing.</p>	<p>The recommendation promotes and harmonises rules between EU and non-EU member states.</p>
<p>Public sector employment of foreign nationals</p> <p>Recommendation Rec (2004)2 on the access of non-nationals to employment in the public sector adopted by the Committee of Ministers on 24 March 2004.</p>	<p>Aims to reduce institutional barriers to employment and discrimination (human rights).</p>	<p>Reinforces the rights of migrants by ensuring effective access of migrants and persons with immigration background to public sector employment.</p> <p>Common policy position derived from international co-operation and the technical expertise of CDMG members rather than outsourcing.</p>	<p>The recommendation promotes and harmonises rules between EU and non-EU member states.</p>
<p>Legal status of foreign residents and of other persons admitted for work purposes.</p> <p>Proposals for a draft recommendation were abandoned by CDMG in November 2004 because of failure to reach agreement within CDMG.</p> <p>Publication in 2005 of a report on “The legal status of migrants admitted for employment - A comparative study of law and practice in selected European states”.</p>	<p>Statistical and analytical input to policy-making on migration policies relating to the rights of migrants (human rights).</p>	<p>Review of practices and policies in selected countries</p>	<p>The proposed draft recommendation aimed to promote and harmonise rules between EU and non-EU member states.</p>
<p>Integration and intercultural dialogue</p> <p>Contribution of CDMG to white paper on intercultural dialogue</p>			

<i>Helsinki Conference Plan of Action</i>		Integration policies Elaborate and make effective use of adequate evaluation and monitoring instruments (integration indicators)	
<i>Warsaw Summit Action Plan</i>		Chapter III. – Building a more humane and inclusive Europe 1. Ensuring social cohesion 2. Building a Europe for and with children 6. Fostering intercultural dialogue	
Activity	Relevance to core values	Added value (intrinsic)	Added value (in relation to other CoE bodies and organisations)
Integration indicators Preliminary proposals have been developed and presented to CDMG for a detailed series of indicators for measuring the civil, political, social and economic integration of immigrants and persons of immigrant background. Trial implementation of the preliminary indicators has been undertaken in 1 member state. Lack of resources have not permitted completion of the proposals and for the same reason no activities have been put in place concerning their effective use. <i>See also the methodical guide to the concerted development of social cohesion indicators prepared under the auspices of the European Committee for Social Cohesion (CDCS).</i>	Statistical and analytical input to policy-making on the integration of immigrants and persons of immigrant background (human rights)	Creation of a comprehensive and holistic model framework for measuring the extent to which immigrants and persons of immigrant background are integrated and the success and failure of specific policies. A common tool for member states that is the result of international collaboration of governmental experts	The lack of reliable integration indicators is a recognised gap in policy-making at national level. This is one of several mutually informing initiatives at international and national level aimed at developing a robust measurement tool. As yet this has not been achieved. The CDMG initiative has been undertaken after participation in the work on social cohesion indicators by CDCS and is a development of this work in the field of migration (integration and community relations).

<i>Helsinki Conference Plan of Action</i>		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	
<i>Warsaw Summit Action Plan</i>		Chapter III. – Building a more humane and inclusive Europe 1. Ensuring social cohesion 8. Managing migration	
Activity	Relevance to core values	Added value (intrinsic)	Added value (in relation to other CoE bodies and organisations)
Minimum rights of irregular migrants CDMG has proceeded in two stages. - review of the international legal framework of rights enjoyed by irregular migrants and of the obstacles to their effective access to minimum social rights at national level (report published in 2006) - preparation of proposals for minimum rights (activity suspended by CDMG in 2006 pending outcome of its work on evaluating national policies – see below) <i>See also the exploratory report on the access of irregular migrants to social protection prepared under the auspices of the European Committee for Social Cohesion (CDCS).</i>	Review of the legal protection of irregular migrants with a view to making proposals for its improvement (human rights).	This activity permitted the treatment within an intergovernmental framework of a highly sensitive political issue from a human rights perspective. Review of law and practice based on exchange of views between selected countries and representatives of civil society on measures to ensure the enjoyment of minimum rights by irregular migrants.	This activity is relevant and a follow-up to the concerns of the Parliamentary Assembly as reflected in many adopted texts including recommendations 1577 (2002) on the creation of a charter of intent on clandestine migration, 1618 (2003) on migrants in irregular employment in the agricultural sector of southern European countries, 1755 (2006) on the human rights of irregular migrants, 1767 (2006) on the mass arrival of irregular migrants on Europe's southern shores.
Review of national policies on irregular migrants 1 st series of five national reports and synthesis completed in 2006. 2 nd series started in 2008 See also the following reports prepared for CDMG: - New patterns of irregular migration in Europe (published 2004), - Preventing illegal immigration : juggling economic imperatives, political risks and individual rights (published 2004).	Analytical input from human rights perspective to policy-making on migration policies relating to the situation of irregular migrants (human rights).	Evaluation undertaken within an agreed common research framework, the results of which are presented in individual national reports using a common format. Sharing of experience within member states with regard to policies on irregular migrants and best practices on regularisation proceedings. The adopted methodology (based on consensus and limited participation of volunteer national experts) has facilitated the drawing up of some guidelines and good practices.	This activity is relevant and a follow-up to the concerns of the Parliamentary Assembly (see recommendations referred to above).

<i>Helsinki Conference Plan of Action</i>			
Comprehensive Migration Management Strategy 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			
<i>Warsaw Summit Action Plan</i>			
Chapter III. – Building a more humane and inclusive Europe 2. Building a Europe for and with children 8. Managing migration			
Activity	Relevance to core values	Added value (intrinsic)	Added value (in relation to other CoE bodies and organisations)
8th Conference of European Ministers responsible for Migration Affairs To improve and strengthen the co-operation and partnership between countries of destination, origin and transit in the context of economic migration. To promote co-operation between the Council of Europe and other international organisations in the field of migration. <i>Title :</i> Economic migration, social cohesion and development: towards an integrated approach	Seeks to promote dialogue and partnership between member states (democratic values) on improving their capacity to manage an orderly migration in compliance with human rights of migrants and social cohesion (human rights).	To promote political dialogue on key issues relating to economic migration To develop innovative approaches (i) to improving social cohesion in the countries of origin and destination and (ii) to strengthening the co-operation and partnership between countries of origin, transit and destination To promote the exchange of information and implementation of good practice To provide direction for the future work of the Council of Europe in the field of migration and the protection of migrants' rights	Preparation of the Conference in close co-operation with the Parliamentary Assembly and the EU, OECD, ILO, IOM, OSCE.
Priorities and challenges of countries of emigration/origin (European) Revision of the migration management strategy to better take account of the challenges facing countries of origin and their priorities (report adopted by CDMG in 2006). See also the 6 th session of the Political Platform (November 2006) when the report was presented to and discussed with representatives of non member states (source countries).	Seeks to improve the quality of dialogue and co-operation between receiving and sending countries including member states (democratic values) on improving the capacity of member states to manage an orderly migration in compliance with human rights of migrants and social cohesion (human rights).	Emigration and origin countries of the CoE were able to formulate proposals to improve the quality of international co-operation on migration management that better takes account of their interests. Emigration and origin countries of the CoE identified nine priority areas (labour migration, skills haemorrhage, women and migration, irregular migration, border controls and security, combating labour trafficking, integration, return/re-integration/readmission, migration and development).	The pan-European nature of the CoE gave a unique and original platform to member states that are countries of emigration/origin to share their concerns in a collective manner with other member states that are destination countries. For such initiatives, the human rights perspective of CoE and the principle of equality between the participating countries are important added values. Relevant and follow-up to Parliamentary Assembly Recommendation 1650 (2004) on links between Europeans living abroad and their countries of origin
Political Platform of the Council of Europe on Migration Regional conferences on migration See international and regional co-operation			

Activity	Relevance to core values	Added value (intrinsic)	Added value (in relation to other CoE bodies and organisations)
Life projects for unaccompanied migrant minors Recommendation Rec (2007) 9 on life projects for unaccompanied migrant minors adopted by the Committee of Ministers on 12 July 2007	The recommendation seeks to (inter alia): - provide national authorities and other actors with guidelines on policy and practice to promote life projects for unaccompanied minors (human rights), - promote access of unaccompanied migrant minors to information and enable them to improve their situation (human rights), - involve civil society, migrants' associations and immigrant communities in supporting the implementation of projects life (democracy).	Detailed policy advice and guidance is provided to policy-makers of countries of origin, transit and destination on to how to implement life projects and thereby create real perspectives for these children. Common policy position derived from international co-operation and the technical expertise of CDMG members rather than outsourcing. The recommendation contains proposals for communication and follow-up in member states.	No equivalent text at pan European level. Policy recommendations draw on expertise from the Human Rights Commissioner, UNHCR, UNICEF and IOM. The activity is a contribution to the intersectoral project on children.
Migrants' associations and co-development Recommendation Rec (2007) 10 on co-development and migrants working for development in their countries of origin adopted by the Committee of Ministers on 12 July 2007	The recommendation seeks to (inter alia): - support the activities of migrants and their associations aimed at the development of their countries of origin (human rights and democracy), - involve migrants and their associations in the design and implementation of policies and programmes to assist the development of their countries of origin (democracy), - promote national and international partnerships for the development of countries of origin (democracy).	Detailed policy advice and guidance is given to assist member states in supporting the activities of migrants and their associations. Common policy position derived from international co-operation and the technical expertise of CDMG members rather than outsourcing. Technical expertise from NGOs active in co-development programmes and projects. The recommendation contains proposals for communication and follow-up in member states.	No equivalent text at pan European level. Policy recommendations draw on expertise of ICMC. The policy recommendations are relevant and follow-up to PACE recommendation 1718 (2005) on co-development as a positive measure to regulate migratory flows.
European Convention on the Legal Status of Migrant Workers (STE no. 93) Ratification: - Albania (2007) - Moldova (2006) - Ukraine (2007) Technical assistance provided to Armenia, Azerbaijan, Moldova, Russian Federation and Ukraine.	Ensuring equal and effective access of migrants to the rights covered by the treaty, in particular in the workplace (human rights)	Contribution to orderly management of migration through respect for migrants' rights.	Complement to the European Social Charter. No equivalent text at pan European level. Treaty mentioned as a reference instrument in the EU directives in migration field.

<i>Helsinki Conference Plan of Action</i>		Comprehensive Migration Management Strategy 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	
<i>Warsaw Summit Action Plan</i>		Chapter III. – Building a more humane and inclusive Europe 8. Managing migration	
Activity	Relevance to core values	Added value (intrinsic)	Added value (in relation to other CoE bodies and organisations)
European Migration Agency Proposed structure to implement the migration management strategy Feasibility study completed in 2004. Decision of the SG to suspend further work.	Seeks to improve the capacity of member states to manage an orderly migration in compliance with human rights of migrants and social cohesion (human rights).	An operational tool for the practical implementation of the Council of Europe migration management strategy. The value of creating the Agency was not recognized by all CDMG members.	Agency was conceived as an operational tool for all international organisations working in the migration field. The Agency would improve the exchange of information, improve inter-agency understanding, promotes synergies and avoid overlap.
<i>Helsinki Conference: Plan of Action</i>		Comprehensive Migration Management Strategy Set up a network of receiving cities to study the impact of migration and integration at the local level	
<i>Warsaw Summit Action Plan</i>		Chapter III. – Building a more humane and inclusive Europe 8. Managing migration	
Activity	Relevance to core values	Added value (intrinsic)	Added value (in relation to other CoE bodies and organisations)
European network of cities for local integration policy of migrants (CLIP) <i>Activity carried out by the Congress of Local and Regional Authorities</i>	Promotion of integration of immigrants and social cohesion through the exchange and analysis of good practice (human rights).	Collecting and analysing innovative policies and their successful implementation at the local and regional level on integration . Assessing the role of companies, social partners, NGOs and voluntary organisations at local level in supporting access to social rights. Supporting the exchange of experience between cities and encouraging a learning process within the network of cities. Communicating good practice to other cities in Europe and developing guidelines for good practice to help cities to cope more effectively with the challenge of integrating migrants. Supporting the further development of a European integration policy by communicating the policy relevant experiences and outputs of the network to European organisations of cities and local and regional authorities.	Joint activity of the Congress and the European Foundation for the Development of Living and Working Conditions (an EU Agency).

<i>Helsinki Conference Plan of Action</i>	Role and working methods of the European Committee on migration (CDMG)		
<i>Warsaw Summit Action Plan</i>	Chapter V – implementing the Action Plan: a transparent and efficient Council of Europe		
Activity	Relevance to core values	Added value (intrinsic)	Added value (in relation to other CoE bodies and organisations)
Role and future work of CDMG Statement approved by CDMG (November 2006) and presented to GR-SOC (February 2007).			
Recommendations and working methods Internal committee document guiding CDMG in ways of improving the design and implementation of its projects in order to achieve a better take-up of its recommendations in member states.			
Communication strategy for CDMG Internal committee document setting out ways of improving awareness of national policy makers and service providers of CDMG work, in particular of its recommendations on policy and practice.			