



PARLIAMENTARY ASSEMBLY OF THE MEDITERRANEAN
ASSEMBLEE PARLEMENTAIRE DE LA MEDITERRANEE
الجمعية البرلمانية للبحر الأبيض المتوسط

3rd Standing Committee
on Dialogue among Civilisations and Human Rights

Special Task Force on Migration

Rapporteur: Mrs. Vasso Papandreou (Greece)

*Report on Migration [adopted by consensus by
the Assembly at the 3rd Plenary Session,
14 November 2008, Monaco]¹*

Migrants are an integral part of European society. Present day Europe is a multiethnic and multicultural society. Although migration has led to tensions at times in the host countries, Europe is composed of people of different origins, cultures, and backgrounds.

Immigration across the Mediterranean has a positive impact to the development of the countries of both sides of Mediterranean and ameliorates geopolitical crises under the assumption that the proper policies are conducted by both the host countries and the countries of origin.

ILLEGAL IMMIGRATION

Illegal immigration has once again made the Mediterranean the theatre for an important geopolitical dynamic. The Sea has become the new frontier dividing an African continent hungry for stability and development and an European Union facing a stagnant economy and ageing population.

In the past years, illegal migration across the Mediterranean has been a topic of dispute between southern and northern countries as they each deal with the problems that accompany the illegal migration phenomenon whether a country of origin, of transit or of destination: smuggling, organised crime, security concerns, increased burden on public spending including armed forces, civilian protection personnel and health professionals, subsistence and lodging, health-related concerns, brain-drain, impact on the black market economy, social non-acceptance including xenophobia and racism.

The flow of illegal migrants is not expected to decrease in the years to come. Balancing security concerns,

¹ World Refugee Day is celebrated on June 20.

demographical needs and humanitarian obligations has become an uneasy exercise and restrictive measures have become the norm for transit and destination countries. Blaming neighbouring and further-away countries for so called or identified «migration-related problems» has been a fairly common attitude impacting communication modes in recent years. Time has come to brainstorm collectively towards finding a common approach to illegal migration at the regional level that responds to each country's specific problems while finding global solutions. Not only does irregular migration pose a sovereignty challenge to countries of destination it does so to countries of origin and countries of transit as well. Since illegal migrants follow regional routes, all actors present at regional level are part of the solution.

An important point to bear in mind is the mixed nature of migratory flows. Human mobility is complex. Some individuals simply seek a better life and are ready to follow illegal routes. But if illegal migration has been the main focus of attention in recent years, it is necessary to acknowledge that some individuals seek refuge from war and persecution and must benefit from legal protection. Therefore it is essential to acknowledge that human rights and the principle of “non-refoulement” have to be upheld when dealing with people in need of an asylum, refuge or of temporary humanitarian protection by countries that have signed the 1951 Convention on the Status of Refugee.

A dramatic and intricate reality is that in most cases, asylum-seekers and potential refugees have no choice but to take illegal routes to flee.

The EU has been perceived as one of the safest places to live in for people fleeing war-torn countries. However, when one look at refugees issues specifically, it is essential to remind ourselves that most individuals can simply not afford to make the trip to Europe and that the African continent itself has today the highest number of refugees. The return to normalcy in their country of origin is the best way to help. The same argument is valid for the Middle East.

“ENVIRONMENTAL REFUGEES”

It is expected that in the years to come, individuals will migrate temporarily or permanently for environmental reasons (natural or man-triggered environmental disruption including desertification, water shortages, lack of agricultural land, sea level rise...). Scientists have predicted that a 2°C rise in temperature would place 100 million people 'directly at risk from coastal flooding' by 2100. The Intergovernmental Panel on Climate Change (IPCC) has suggested 150 million environmental refugees would exist by 2050. Similarly, it is therefore necessary to find adequate solutions to the problems of the legally undefined notion of “environmental refugees”.

In the absence of a clear definition of “environmental refugee” with no recognised special needs, there is little choice for this category of refugee but to be assimilated to illegal migrants.

LABOUR MIGRATION - THE LEGAL MID TO LONG-TERM SOLUTION?

In parallel, legal labour or family reunification migration is also taking place in the Mediterranean region. Much statistical work has to be carried out for countries to identify their short but principally mid to long-term labour shortages for skilled or unskilled workers.

It is also essential for all countries – and not only ageing countries - to conduct a thorough exercise of their mid to long-term labour needs and design policies that can potentially reconcile the interests of countries of origin and of destination in a legal manner. This groundwork is essential for all actors involved to look at migration in a partnership.

Parliamentarians have a role to play in bringing to the attention of their governments on these matters that will impact future generations.

ECONOMIC DIMENSION TO MIGRATION

Illegal immigration reinforces black economy and phenomena of discrimination, exploitation and criminality. These phenomena reinforce xenophobia and racism in the host countries.

While there is no denying the importance of the economic contribution by irregular but working migrants in both countries of origin and countries of destination (impact on the black economy, level of remittances, participation to economic development of countries of origin...), the benefit is even greater for the countries of destination when the working migrants' situation is regularised by means of an increased supply of taxes and social contributions.

THE BENEFITS OF REGIONAL DIALOGUE AT PARLIAMENTARY LEVEL

Most fora dealing with migration matters in the Mediterranean region are inter-governmental in essence. They have been conducted in the framework of the Dialogue on Mediterranean Transit Migration (MTM)², the 5+5 dialogue³, within the Barcelona process (Euromed), the Organization for Security and Cooperation in Europe (OSCE) and the ongoing dialogue between the EU and African Union. Notably no such platform for dialogue on migration matters exists for the Middle East specifically.

Although they vary in several respects, all of these processes involve networks of States, coming together on a regular basis for purpose of confidence-building and consensus- building, as well as the exchange of information, ideas, experiences and good practice in the domain of international migration. The key feature of these processes is their informal and non-binding nature.

Regional consultative processes have facilitated dialogue and helped governments to identify common interests and concerns, underlined the importance of establishing national migration policies and reinforced an awareness of the need for those policies to be the basis for regional cooperation.

However, according to the latest Global Commission on International Migration (GCIM) report *“additional efforts are required to ensure that regional consultative processes on migration have worldwide coverage, engage civil society and the private sector, and are not focused solely on migration control. Greater interaction between the different processes is essential given the global nature of migration. Although they vary in several respects, all of these processes involve networks of States,*

² The MTM was set up in 2002-2003 by the International Centre for Migration Policy Development (ICMPD). The countries involved in the dialogue on Mediterranean Transit Migration are comprised of the Arab Partner States (APS) on the southern and eastern side of the Mediterranean, namely Algeria, Egypt, Lebanon, Libya, Morocco, Syria and Tunisia, and, on the Northern shores, of European Union Member States, Norway, Switzerland and Turkey, called European Partner States (EPS). Australia participates as an observer. Officials of the Ministries of Interior, Intelligence and Security Services, Ministries of Foreign Affairs and Development Agencies participate regularly in this informal dialogue. The dialogue also involves EUROPOL and FRONTEX (also partners in the project phase), the DCAF, the European Commission, INTERPOL, IOM, the League of Arab States, UNHCR, UNESCWA and UNODC.

³ The Cooperation Process in the Western Mediterranean-known as "Dialogue 5+5"-was launched during the first ministerial meeting held in Rome on October 10, 1990 and brings together Algeria, France, Italy, Libya, Malta, Mauritania, Morocco, Portugal, Spain and Tunisia.

*generally represented ministries responsible for immigration, and it has therefore been difficult for such processes to engage in other important issues, such as the contribution of migration to development and the human rights of migrants. Very few regional consultative processes involve representatives of civil society, and even fewer have actively engaged with the private sector. Finally, relatively few of the consultative processes established to date have engaged meaningfully with broader regional economic and political fora”.*⁴

HUMAN DIMENSION TO MIGRATION

An essential link with civil society, parliamentarians are key to any political decision-making process. They also have an important role to play in ensuring coherence and coordination of policies as well as in ensuring their peaceful acceptance. While their impact on national and regional migration policies can be limited from a legislative point of view, their individual – and more so their collective - voice can make a difference in today’s debates. It is therefore suggested that PAM parliamentarians focus essentially on the human dimension to migration that is common to all peoples they represent across national borders. Fostering dialogue among the various cultures, the countries of origin, transit and of destination can prove beneficial to all societies.

An important aspect for integration is the good knowledge of the local language. So language learning especially for the migrant’s children should be encouraged while respecting the need to learn also their mother tongue.

It is very important to involve young people, schools and the civic society in the promotion of co-existence and co-operation based on common values of equality, human rights and democracy.

PAM-HOSTED MIGRATION EXPERT’S SEMINAR, APRIL 2008

On 14-15 April 2008, the PAM hosted a meeting of experts on migration issues (cf list on next page). They specifically tackled the question of the “**Social Care of Immigrants**”

A **food-for-thought paper** has been prepared to the attention of the PAM delegates. In short, here is a non-exhaustive list of their main recommendations to the PAM:

- a) Address migration issues from a long-term and proactive perspective rather than from a short-term and reactive perspective;
- b) Focus on regular migration;
- c) Raise awareness and understanding of neighbouring countries' migration policies;
- d) PAM to support international cooperation on migration;
- e) Exchange good practices at regional level;
- f) Put emphasis on integration rather than repatriation (for countries of destination) as well as on social support rather than social care;
- g) Support research in the field of migration and specifically in the South i.e. in countries of origin and transit (it was observed that most research is conducted in the North); support the establishment of regional research networks;
- h) Address degrading practices towards migrants, tackle social and human right dimension of migrants;
- i) PAM to become focal point for issues related to social care of migrants.

⁴ <http://www.gcim.org/en/finalreport.html> (2005).

List of experts invited to the COST (European Cooperation in the field of Scientific and Technical Research) seminar

International guests

Peter Schatzer, International Organisation for Migration, IOM regional director, Italy

Hart Laurence, International Organisation for Migration, Libya

Ela Czapka Jozef Rusiecki, Institute of Higher Education, Poland

Kaija Matinheikki-Kokko, University of Applied Sciences, Helsinki Polytechnic

Aarild Ambo, Norwegian Centre for Minority Health Research

Rosa Hussein, University of Kent, UK

Kathleen Valtonen, University of Turku, Finland

Per Loman, Swedish Migration Board, Sweden

Mark Agius, Academic Department of Psychiatry, Cambridge University, UK

Bob Wineburg, Department of Social Work, University of North Carolina, Greensboro, USA

Local guests

Charles Pace, University of Malta

James Carabott, University of Malta / House of Representatives

Maria Pisani, International Organisation for Migration, Malta

Neil Falzon, UNHCR, Malta

Marika Podda Connor, Department of Health, Malta

Katrine Camilleri, Jesuit Refugee Centre, Malta

Fr Paul Pace, Jesuit Refugee Services, Malta

Alex Tortell, Operations Director OIWAS, Malta

Terry Gosden, , Reception Centre, Manager, Malta

Anne-Marie Pisani, Dpt of Social Policy, University of Malta

Amanda Ellul, Assistant Head of Care OIWAS, Malta

Roberto Calleja, Assistant Head of Care OIWAS, Malta