

**COUNCIL OF EUROPE
PARLIAMENTARY ASSEMBLY**

**RECOMMENDATION 1188 (1992)¹ ON MIGRATORY FLOWS IN
CZECHOSLOVAKIA, HUNGARY AND POLAND**

1.

The radical political and social changes sweeping over central and eastern Europe in 1989-90 have created a fundamentally new, two-fold role for Czechoslovakia, Hungary and Poland in the tide of international migration.

2.

The lifting of travel restrictions in these countries and a number of economic and social factors, as well as ethnic conflicts, have prompted a large number of persons to leave their countries of origin.

3.

Whereas these factors contribute to the outward migration from Czechoslovakia, Hungary and Poland, the very same type of causes in east European states produces migratory waves flowing into the three countries underscoring the fact that these central European states are both emigration and immigration countries.

4.

The restrictions adopted by some of the west European states, in the form of the Schengen Agreement, the Dublin Convention for determining the state responsible for examining applications for asylum lodged in one of the member states of the European Communities and the draft convention for the crossing of borders, inevitably lead to a concentration of large numbers of migrants in Czechoslovakia, Hungary and Poland. As a new phenomenon it is also observed that besides the "waiting room" function these three countries have become the desired destination for many migrants both from neighbouring states and from the developing countries with significantly lower standards of living and recurring political and economic crises.

5. As the present regulation of irregular and regular migration flows in Czechoslovakia, Hungary and Poland is inadequate in relation to the actual and especially the potential size of these movements, a thorough revision and improvement of the legal framework is a matter of high priority. This must be based on well-defined policies sustained by a broad social consensus.

6.

Undesired inflows should be prevented by co-ordinated action with other members of the Council of Europe in addressing the root-causes of migration in the countries of origin by transfer of knowledge, technology and investment, as well as by actively contributing to the elimination of potential conflicts and the dissemination of information concerning labour-market and living conditions in the countries concerned.

¹ Assembly debate on 30 June 1992 (10th Sitting) (see Doc. 6633, report of the Committee on Migration, Refugees and Demography, Rapporteurs: Miss Guirado and Miss Szelényi).

7.

The possibility of a mass influx from peripheral European countries has not disappeared. This calls for an effective and reliable early warning system and a comprehensive crises-management plan which is to be developed in co-operation with other European states.

8.

The new immigration countries also have to evolve a satisfactory response to challenges posed by regular migrants and refugees, respecting the fundamental human freedoms and refugee rights guaranteed under the relevant international instruments.

9.

In the light of the foregoing considerations the Assembly invites the new immigration countries, notably Czechoslovakia, Hungary and Poland:

- i. to develop appropriate migration policies, to adopt adequate legislation (for aliens, immigrants and refugees) and to implement them effectively on the basis of human rights and in the spirit of international solidarity;
- ii. to initiate negotiations and conclude agreements:
 - a. with neighbouring countries with a view to facilitating the readmission of irregular migrants, with due respect for human dignity and fundamental human rights, and without infringing the principle of non-refoulement of asylum-seekers as enshrined in the relevant international instruments;
 - b. on opportunities for training and fixed-term employment as well as for cultural exchanges;
 - c. among one another on setting up an emergency plan in case of mass influxes using the experiences of the countries of western Europe;
- iii. to create conditions attractive and stimulating enough to induce their well-educated and skilled citizens abroad to return home and participate in national development efforts;
- iv. to acquaint their citizens with basic human rights, to strive to increase tolerance and solidarity through the education system, and to take responsibility for informing the general public.

10.

The Assembly calls upon its member states:

i.

to participate in burden-sharing arrangements with the new immigration countries through the provision of financial assistance and the acceptance of asylum-seekers and other migrants from the countries of first asylum;

ii.

to support the process of economic development in central and eastern Europe through capital investment, trade liberalisation and training programmes;

iii.

to provide assistance for emergency relief and for the reconstruction of war-torn regions, thus facilitating the voluntary return of persons who have been forced to migrate;

iv.

to consider the transfer of experience of traditional immigration countries to the new immigration countries. This support should not be limited to information transfer, but should also include practical measures and technical know-how;

v.

to increase co-operation with new immigration countries in order to develop their administrative infrastructure and organisational capacity for dealing with migratory movements;

vi.

to assist the Governments of Czechoslovakia, Hungary and Poland, in co-operation with the United Nations High Commission for Refugees (UNHCR), the International Organisation for Migration (IOM), the United Nations Development Programme (UNDP) and other international organisations, as appropriate, in designing programmes for voluntary return of expatriate nationals who can contribute to national development. Advantage should be taken of the experience gained through programmes of this kind which are already effective in some member states.

11.

The Assembly therefore recommends that the Committee of Ministers:

i.

take full advantage of the work set in motion by the Vienna Conference especially concerning:

- a. the provision of information to the citizens of countries of potential outflow, concerning the legal possibilities and constraints relating to immigration, the economic and labour-market situation and living conditions in the likely target countries;
- b. the establishment of a warning system capable of anticipating uncontrolled mass influxes;

ii.

consider the utilisation of the Social Development Fund for promoting job creation in the disadvantaged regions;

iii.

actively participate in conflict prevention and resolution in regions affected by inter-ethnic strifes;

iv.

promote the protection, development and recognition of minority rights in the countries of the European region, and enhance the elaboration and effective observance of international agreements serving this purpose.

Text adopted by the Assembly on 30 June 1992 (10th Sitting).