

**5+5 DIALOGUE
MINISTERIAL CONFERENCE ON MIGRATION IN THE WESTERN
MEDITERRANEAN:**

Tunis Declaration

16 – 17 October 2002, Tunis

**5+5 DIALOGUE
MINISTERIAL CONFERENCE ON MIGRATION IN THE WESTERN
MEDITERRANEAN:**

Tunis Declaration

We,

The Ministers and Representatives of the Governments of Member States of the Western Mediterranean Cooperation Process (5+5): Algeria, Spain, France, Italy, Libya, Malta, Morocco, Mauritania, Portugal, Tunisia;

Assembled in Tunis, on 16th- 17th October 2002, for the Regional Ministerial Conference of the 5+5 Dialogue on Migration in the Western Mediterranean , hosted by the Government of the Republic of Tunisia and chaired by Mr. Chedly NEFFATI, Minister of Social Affairs and Solidarity;

Bearing in mind the launching of the Western Mediterranean Dialogue Forum, also known as the 5+5 Dialogue, initiated on 10 December 1990 in Rome following a French initiative and the Conclusions of the Meeting of Foreign Affairs Ministers of member states of the Western Mediterranean Cooperation Process (5 + 5) held in Lisbon on 25 and 26 January 2001.

Bearing in mind the conclusions of the Presidency of the Foreign Affairs Ministers' Conference of Western Mediterranean Countries (5 + 5) held in Tripoli on 29 and 30 May 2002, in particular, the conclusion underscoring "the importance of laying, as soon as possible, the foundations for comprehensive, balanced, and integrated cooperation between all the countries in the region" to address the issue of immigration and human interaction in an organized and coordinated manner;

Bearing in mind equally the Declaration adopted by the Meeting of Ministers of Interior Meeting of the Dialogue (5 + 5) held in Tripoli on 9-11 July 2002.

Recalling the social, cultural, and human component of the 1995 Barcelona Declaration on the Euro-Mediterranean Partnership Process and the Conclusions of the Euro-Mediterranean Ministerial Meeting held in Valencia on 22-23 April 2002; the conclusions of the European Council held in Seville on 21-22 June 2002; as well as the provisions of the social component of the Euro-Mediterranean Association Agreements reached between a number of countries of the southern Mediterranean (Algeria, Morocco, Tunisia) and the European Union;

Taking into account the recent adoption by the Valencia Euro-Mediterranean Conference (22-23 April 2002) of a framework document entitled "Regional Cooperation Program on justice issues, the fight against drug-trafficking, organized crime, and terrorism, and on cooperation towards the social integration of migrants, migration and movement of people", a document adopted by consensus as a milestone towards balanced and far-reaching cooperation in the Euro-Mediterranean region;

Recalling the important Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime (Protocol on Trafficking in Persons),

Bearing in mind the Conclusions of the Chair of the International Symposium on Migration held in Berne on 14-15 June 2001, also known as the Berne Initiative;

Recalling the outcomes of bilateral cooperation in the management of migration between countries on both sides of the Western Mediterranean;

Mindful of the fact that international migration is a complex phenomenon, deeply-rooted in the history of mankind, and closely related to the concept of interdependence between peoples, civilizations, and economies;

Bearing in mind the fundamental contribution of migration to the development and economic prosperity of countries in the Western Mediterranean;

Mindful of the deep economic, political, demographic, social, and cultural changes generated by globalization and fostering migration flows between the two sides of the Mediterranean;

Mindful of the significance of the challenges stemming from globalization and requiring a continuously increasing level of coordination and dialogue on the importance and the role of human resources in the co-development process and shared prosperity between the two sides of the Mediterranean;

Underscoring the importance of encouraging the introduction of comprehensive, balanced, and co-ordinated policies, based on a spirit of dynamic partnership between source-, transit- and destination-countries with a view to optimizing the benefits of regular migrations;

Cognizant of the fact that all encompassing, multidimensional, coherent, and effective policies to combat irregular migration should be developed within an extended regional framework, based on a spirit of partnership, solidarity, and mutual understanding between concerned countries;

Recalling the appeal made by His Excellency, President Zine El Abidine Ben Ali, President of the Republic of Tunisia, on 12 June 1993 before the European Parliament for a Euro-Mediterranean Charter on the rights and the duties of migrants;

Noting with satisfaction the participation at this Conference of all relevant Mediterranean countries as well as the representatives of international and regional intergovernmental organizations, such as the International Organization for Migration,, the International Labor Organization (ILO), the Maghreb Arab Union, the United Nations Development Program (UNDP), The League of Arab States and the Arab Labor Organization.

Agree to adopt this Declaration and to jointly strive to attain the following objectives:

A. Regional Processes for Consultation, Information Exchange, and Analysis of Migration Trends

- 1- Consolidate, as soon as possible, the foundations for a balanced, integrated, and comprehensive dialogue between the countries of the Western Mediterranean to cooperate on migration issues of common interest in an organized and coordinated manner.
- 2- Reinforce the institutional capacities of states in the region in regard to migration, in particular through closer cooperation on the exchange of information and good practices between national, central and local institutions in countries of the Western Mediterranean.
- 3- Carry out, as part of a co-ordinated planned strategy, thorough analyses of migration trends and proven experiences related to best migration policies and practices in the region..
- 4- Reinforce research for a better understanding of source and transit migration in the Maghreb so as to improve knowledge on this issue and to enable enhanced joint management of the phenomenon.
- 5- Promote the regular exchange of documentation, surveys, and information for a better understanding of migration flows.

B. Irregular Migration and the Trafficking in Human Beings

- 6- Exchange information and share technical expertise between source-, transit-, and destination-countries so as to prevent and combat irregular migration.
- 7- Reinforce and make cooperation more effective to prevent and combat illegal immigration in source-, transit, and destination countries by adopting and implementing a balanced and coordinated approach in this area, notably by taking the following adequate steps:
 - Develop mechanisms to combat rings engaged in illicit migration, and trafficking in human beings, and provide appropriate assistance to the victims of such offences.
 - Consolidate technical cooperation in particular in the area of training and reinforce the border control and monitoring capabilities of countries on the Southern shore of the Western Mediterranean region.
- 8- Promote readmission agreements based conditions to be jointly defined.
- 9- Encourage adherence to, and the effective implementation of relevant international instruments, in particular the additional Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime.

- 10- Promote closer and more effective cooperation among political, administrative, judiciary and police authorities of Western Mediterranean countries for the prevention of and struggle against criminal organization networks favouring and supporting irregular migration, terrorism, arms and drug trafficking and money laundering.

C. Migration and Co-Development

- 11- Examine the causes of migration flows with a view to taking appropriate development steps by supporting in particular the comprehensive development efforts undertaken by countries of the South in depressed areas with a high migration potential, so as to take preventive action, against illegal migration by deterring potential candidates to migration.
- 12- Study possible means of action in depressed areas to fight against poverty and marginalisation that are at the origin of migratory flows following the proven experiences conducted in the field in Southern shore countries, including the adoption of other methods such as debt recycling.
- 13- Recognize the economic, social, and cultural contribution of migration in the countries of the Western Mediterranean.
- 14- Improve conditions to enable migrants to fully play their rightful role in the development of their country of origin, in particular through savings and investment.
- 15- Promote the transfer of new technologies and the exchange of skills so as to reinforce economic growth in countries on both sides of the Western Mediterranean, as well as through an increased contribution of international cooperation to development and decentralized cooperation between local institutions in Western Mediterranean countries.

D.1. The Rights and obligations of Migrants and the Integration Process

- 16- Reinforce the integration process and preserve the human rights and the fundamental freedoms of regular migrants, while respecting their cultural diversity, in accordance with bilateral agreements, association agreements as well as relevant international conventions.
- 17- Allow family reunification so as to maximize the positive effects of social and cultural integration, living and working conditions, and the general welfare of regular migrants and facilitate related procedures.
- 18- Improve, in concrete ways, conditions for the free movement of regular migrants and their access to the labor market in countries of the Western Mediterranean, in accordance with current national legislation and regulations and taking into account the European Charter on Fundamental Rights.
- 19- Take adequate steps for a more effective respect of the rights of migrant workers legally resident in the states of the Western Mediterranean and thus secure equal treatment and opportunities with the nationals of host countries, in particular in terms

of access to employment and vocational training, decent housing, and other social and economic rights.

- 20- Ensure effective adherence to the fundamental rights of all migrants in countries of the Western Mediterranean and reinforce, to this end, relevant national legislations and take appropriate measures to step up the fight against all forms of intolerance and eliminate all forms of discrimination, xenophobia, and exploitation.
- 21- In the same spirit, the integration of regular migrants in the Western Mediterranean should place emphasis on the rights and obligations of these migrants in accordance with bilateral and association agreements as well as with relevant international conventions.
- 22- Raise public awareness concerning the rights and duties of migrants in order to promote respect for their dignity by broadcasting success stories and best practices.

D.2 The Management of Regular migration Flows and Movement of Persons

- 23- In accordance with relevant Schengen provisions, examine, in general, possibilities to streamline and accelerate visa delivery procedures; examine possibilities for Member States to introduce more flexible conditions for certain categories of persons in partner countries and, more specifically, include provisions facilitating visa delivery to persons involved in actions aimed at promoting euro-Mediterranean cooperation.
- 24- Concerning the management of regular migration flows, it should be carried out in close cooperation with all concerned parties in line with current legislation in Western Mediterranean countries.

E. Labor Migration and Vocational Training

- 25- Organise labor migration to make up for possible human resource shortages in specific labour market sectors in countries of the Western Mediterranean, while taking into consideration the needs of source- and destination-countries in terms of human skills.
- 26- Promote and reinforce, through targeted projects, vocational training facilities and opportunities in regions with a high migration potential in source countries, to better match labour supply and demand.
- 27- Accelerate the establishment in Tunis of the Euro-Mediterranean Employment and Vocational Training Observatory as adopted in the Valencia Plan of Action to use the information it will provide both on labor markets in Mediterranean countries and related vocational training programs.

F. Migration and Health

- 28- Initiate actions and reinforce resources that help improve the health of migrant populations, to protect them against all the diseases they might be confronted with.

G. Gender Equality

29- Recognise and promote equality between women and men in all areas of migration cooperation in the Western Mediterranean.

H. Follow-up of the Tunis Conference

30- The Ministerial Conference calls upon the Tunisian presidency to ensure follow up of its work and to work towards the implementation of the Conclusions of its Declaration with the support of national experts who will meet to this end on a date to be fixed by the Presidency. The International Organization for Migration will be associated with this exercise. Additional contributions may be sought from regional or international experts.

On the basis of a proposal from the Delegation of Morocco the next Ministerial Conference will be held in Morocco in 2003.