

Council of Europe Secretariat
Directorate of Internal Oversight



Evaluation (2010)1rev

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**EVALUATION REPORT ON THE COUNCIL OF EUROPE'S
PROGRAMMES ON MIGRANTS
2005-2010**

- EXECUTIVE SUMMARY -

1. In May 2010, the Secretary General requested the Directorate of Internal Oversight to undertake an independent evaluation of the migration programmes. The evaluation was carried out between May and August 2010.
2. Issues relating to migrants and migration are dealt with in a wide range of Council of Europe treaties, sectors and bodies, such as the European Court of Human Rights, the Commissioner for Human Rights, monitoring mechanisms relating to the Social Charter, the ECRI, etc, as well as Partial Agreements (CoE Development Bank and North-South Centre), intergovernmental bodies (on health, legal co-operation, social cohesion, human rights, education, etc) and the Parliamentary Assembly, the Congress and the Conference of INGOs.
3. The report concentrates specifically on an evaluation of the programmes relating to migrants in the intergovernmental sector, as set out in the Programmes of Activities between 2005 and 2010. It includes an evaluation of the European Committee on Migration (CDMG).
4. The evaluation has been based on the following criteria: the effectiveness and impact of the programmes relating to migrants, considerations regarding efficiency, the added value and shortcomings of the CDMG, the comparative advantage of the CoE, outreach to NGOs, and the adequacy of political guidance and support.
5. The findings regarding the effectiveness of the programmes under review show that the activities carried out under those programmes made it possible to develop a good knowledge base, through policy guidelines, conferences and workshops, and thematic and country reports in the main areas of activity, namely: integration and community relations, migration management and the legal status of migrants. Of these three, the one with the greatest potential to have an impact on the ground is “integration and community relations”.
6. Activities undertaken in the framework of the programmes on migrants were too wide in scope. This was a result of factors such as the broad terms of reference of the CDMG, as well as the wide-ranging political guidance provided under the Warsaw Action Plan.
7. The Secretariat did not develop fully-fledged technical assistance programmes to promote use of the programmes’ outputs. This would have facilitated impact. There seemed to be a need for further clarification of the roles and responsibilities of the Secretariat and CDMG members where achieving impact is concerned. This may explain the low level of technical assistance provided and the very few initiatives taken by the Secretariat to seek additional external resources. Greater calls could have been made by the Secretariat on the Council of Europe Development Bank.
8. The findings show that there was a need for greater visibility and promotion of outputs through wider outreach. CDMG members and secretariat should better disseminate relevant information and provide assistance to policy-makers at local, regional and national levels, as well as to civil society and to international partners, offering actual input into their work. The information provided should not only relate to the programmes on migrants, but also, in general, to what the CoE does and how it works in the migration sector. Consolidation of the information about CoE legal instruments and the work carried out in relation to migration throughout the Organisation would enhance the impact achieved on the ground.

9. The elements that can be regarded as adding value are: 1) the CDMG gave its members the necessary freedom to explore new ideas and develop new approaches to ongoing and emerging issues; 2) interaction among its members created a framework for exchanging experience and for providing easy access to country-based information; 3) the variety of ministries represented (social affairs, labour, migration, integration, internal and foreign affairs) guaranteed a multi-sectoral approach to migration issues; 4) countries of origin, destination and transit were represented on an equal footing.
10. The main shortcomings of the CDMG were: 1) insufficient communication with the CM and/or with the Permanent Representations, leading, in some instances, to discontinuation of several initiatives; 2) slowness in incorporating the real needs of east and south-east European member states into programmes; 3) the fact that the right expertise was not always available within the committee or that work was delayed due to experts having other commitments; 4) the low level of synergy that existed with monitoring mechanisms with a view to taking account of their findings when developing programmes.
11. Intergovernmental co-operation in the field of migration should be maintained, although further thought needs to be given to the framework within which this co-operation should take place with a view to improving its efficiency and effectiveness. The CDMG could either be discontinued and alternative working methods developed, or could continue with a different set-up.
12. If it is decided to discontinue CDMG meetings, several follow-up measures will need to be considered in order to ensure that the institutional, representational, advisory, developmental and supervisory role of the CDMG is taken over.
13. If a decision is taken that an intergovernmental committee of a similar kind will continue, attention should be paid to 1) having more focused and impact-oriented terms of reference; 2) ensuring that members' profiles match the requirements of the issues to be addressed; 3) facilitating the use of non-official languages insofar as the rules and budget allow; 4) aligning the secretariat's responsibilities with the new terms of reference; 5) specifically instructing the committee to take account in its work of the judgments of the ECtHR and the findings of the Commissioner for Human Rights and the main migration-related monitoring mechanisms.
14. One striking finding is that the Consultative Committee responsible for monitoring the European Convention on the Legal Status of Migrant Workers has not been operational for a very long time, although explicit provision is made for it by the Convention. It would have been a useful tool for developing the programmes. There is renewed interest from its members, particularly those representing countries that are not members of the EU, in making the committee work. Although the level of ratification of the Convention is low, the text is referred to by other international organisations and by NGOs. The relevance of the Convention should be reviewed as part of the general review of Conventions to be carried out by the Treaty Office/Directorate of Legal Advice and Public International Law.
15. The comparative advantages of the CoE in general are 1) its human rights remit and expertise; 2) its pan-European membership; 3) its multi-sectoral perspective; 4) its network of parliamentarians, local and regional authorities, NGOs and government experts. The findings show that, where the programmes on migrants are concerned, greater use could have been made of the CoE's comparative advantages, both by accentuating the human rights dimension

and by making greater use of outreach to NGOs which specialise in migration matters and to local authorities.

16. A quick overview of a comparative analysis of international organisations (ILO, IOM, OECD, OSCE, UNHCR and UNESCO) has shown that, at the outset, little overlapping occurred because of differences in mandates, memberships and working methods. If we compare the European Union with the Council of Europe, we find that the former's interest in the integration of migrants and the human rights dimension of migration is relatively new. There is, therefore, a greater need to establish closer working relations with the EU institutions in general, and with the European Union Agency for Fundamental Rights (FRA) in particular.
17. INGOs with participatory status in the CDMG (ETUC, CCME, ICMC) frequently promote the CoE's instruments. Outreach to migration-specific NGOs needs to be stepped up.
18. Where political guidance is concerned, it is important to establish clearer consensus within the CM on policy documents adopted at summits or conferences of specialised ministers, since this affects any decisions taken about the follow-up measures required.
19. Interviews with permanent delegations have revealed a greater need to engage in more indepth policy-level discussions, as well as for documents submitted to the CM to be better geared to decision-making. Moreover, further improvements to co-operation and coordination between the Ministries of Foreign Affairs and specialised ministries in the capitals and greater interaction between permanent delegations and government experts in Strasbourg would facilitate more informed decision-making within the CM.
20. Finally, the evaluation revealed that, given the number of parties involved from inside and outside the CoE, there is a need for a contact person to ensure more effective internal communication and synergies and to enhance external visibility and co-operation.