

THE CONGRESS OF LOCAL AND REGIONAL AUTHORITIES

Resolution 175 (2004)¹ on migration flows and social cohesion in South-eastern Europe: the role of local and regional authorities

The Congress,

1. Having examined the report on migration flows and social cohesion in South-eastern Europe: the role of local and regional authorities;

2. Recalling:

a. the commitments entered into by the international community set out in Appendix VII to the Dayton Agreements concluded on 21 November 1995, aimed at guaranteeing the right to return for refugees and displaced persons after the conflict in the former Yugoslavia;

b. the activities of Working Table I on democratisation and human rights, conducted under the Stability Pact for South East Europe, particularly the interethnic dialogue dimension;

c. the efforts of the international community, particularly the Office of the United Nations High Commissioner for Refugees (UNHCR) and the European Agency for Reconstruction to encourage the return of refugees by means of appropriate aid;

d. the Final Declaration of the 4th Forum of Cities and Regions of South-eastern Europe – 10th Economic Forum (Prijedor, Bosnia and Herzegovina, 22-23 September 2003);

e. its Resolution 135 (2002) on the Forums of Cities and Regions of South-eastern Europe – 8th and 9th Economic Forums (Istanbul, Turkey, 2-3 November 2001, and Novi Sad, Federal Republic of Yugoslavia, 18-20 April 2002);

f. its Resolution 111 (2001) on the Forums of Cities and Regions of South-eastern Europe – 7th Economic Forum (Skopje, 16-18 November 2000);

g. the appeal by the President of the Congress in April 1999 to help the cities and regions concerned to cope with the problems of refugees and displaced persons, particularly in Albania, “the former Yugoslav Republic of Macedonia” and Serbia and Montenegro;

h. its Recommendation 1588 (2003) of the Parliamentary Assembly of the Council of Europe on population displacement in South-eastern Europe: trends, problems, solutions;

i. the opinion of the Committee of the Regions of the European Union of 19 November 2003 on “the role of the European Union’s local and regional authorities in the democratic consolidation process in the Western Balkans”;

3. Considering that:

a. the break-up of the former Socialist Federal Republic of Yugoslavia led to the largest population displacements in Europe since the second world war, with over three million people being forced to leave their homes for a variable length of time;

b. despite the efforts of the international community and the South-eastern European countries concerned, some 950 000 refugees are currently still seeking lasting solutions for their futures, against a background of considerable reductions in the humanitarian assistance intended for them;

c. despite a considerably improved situation, and in particular the enhanced security conditions for the return of refugees and displaced persons to their countries of origin, such refugees and displaced persons are still facing many administrative obstacles set up by the national and/or local and regional authorities of their countries of origin or the countries in which they would like to settle;

d. the main reasons why refugees and displaced persons decide to return to their countries of origin or to settle in various host countries are therefore not exclusively political or security-oriented: they have more to do with housing difficulties (restoration of the real property or occupancy rights of persons applying to return home, or the fact that persons illegally occupying other persons’ accommodation cannot be rehoused), problems relating to acquisition of citizenship or nationality, effective access to employment, health care, education and social services in general;

e. consequently, refugees and displaced persons should be guaranteed better conditions for returning to their countries of origin or for integrating into their chosen host countries, based on a long-term approach focusing on economic revitalisation for the whole region in question, as well as on measures to reinforce confidence and the peaceful coexistence of the various communities in the countries in question;

f. in this connection the positive, conclusive experiments developed by the Local Democracy Agencies, particularly in Prijedor (Bosnia and Herzegovina), in implementing occupational reintegration projects based on partnerships with European municipalities, regions and non-governmental organisations;

4. Recommends that the local and regional authorities of states in South-eastern Europe:

a. do their utmost, particularly by effectively implementing all the relevant current legislative and statutory provisions, to facilitate the resettlement of repatriates in their original homes, or in their current places of residence, where refugees and/or displaced persons are concerned;

- b.* abolish all existing types of administrative discrimination and obstacles to access by repatriates, refugees and displaced persons to local and/or regional social services (health, housing, employment, education, social assistance/pensions);
 - c.* in the specific area of housing, supervise the smooth running of the process of restitution of the real property or occupancy rights of persons applying to return home, while providing, as far as possible, for rehousing persons illegally occupying other persons' dwellings;
 - d.* have greater recourse to the facilities of the Council of Europe Development Bank;
 - e.* actively seek partnerships with local and regional authorities in other Council of Europe member states;
 - f.* pay particular attention to the situation of the Roma minority;
5. Recommends that the local and regional authorities of other Council of Europe member states:
- a.* resolutely develop their twinnings and decentralised co-operation projects with cities and regions in South-eastern Europe that are receiving refugees and displaced persons or are situated in areas affected by returning populations, notably in the fields of job creation, education, health and training for elected representatives and staff of local and regional authorities;
 - b.* draw on the networks and instruments established by the Congress, including the Local Democracy Agencies (LDAs), the Network of National Associations of Local Authorities in South-East Europe (NALAS) and the Service for European Decentralised Co-operation (SEDECO), to identify potential municipalities with which to develop genuine partnerships, with a view to effectively

encouraging the return and resettlement of refugees in their municipalities of origin,

6. Invites:

- a.* the network of Local Democracy Agencies to continue its programmes to promote the return of refugees and displaced persons and to re-establish intercultural dialogue;
- b.* the Network of National Associations of Local Authorities in South-eastern Europe:
 - i.* to alert the local authorities within the various associations belonging to the network to the conclusions of the report on migration flows and social cohesion in South-eastern Europe: the role of local and regional authorities, and to translate the document into the languages of the South-eastern European countries concerned and ensure that it is circulated as widely as possible;
 - ii.* to support the local authorities within the various associations belonging to the network in putting into practice the principles set out in the above-mentioned report, the related recommendation and the present resolution, and to encourage the early organisation of a regional seminar on the role of local and regional authorities in this field;
- c.* the Congress' Committee on Social Cohesion and Ad hoc Working Group of Local and Regional Representatives of South-eastern Europe to organise an information session on the facilities available to local and regional authorities in South-eastern European countries in terms of access to programmes and loans from the Council of Europe Development Bank.

1. Debated and adopted by the Congress on 27 May 2004, 3rd Sitting (see Document CG (11) 9, draft resolution presented by M. Nazir (United Kingdom, R, SOC), rapporteur).