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Links between Europeans living abroad and their countries of origin

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Report

Committee on Migration, Refugees and Population

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For debate in the Standing Committee – see Rule 15 of the Rules of Procedure

Summary

Several millions of Europeans live legally outside their countries of origin. Some Council of Europe member states have well established, institutionalized links with their expatriates, the others, in particular some central and eastern European countries, do not maintain strong relations with their nationals living abroad.

The Rapporteur believes that it is in the interest of states to ensure that their expatriates continue to exercise the rights linked to the nationality of the country of origin and contribute in a variety of ways to the political, economic, social and cultural development of their country of origin. Furthermore, expatriates have an important role to play as an intermediary between countries of origin and host countries.

The Rapporteur recommends the establishment of institutional links with expatriate communities in all Council of Europe member states

where it has not been done so far and she launches the idea of creating, under the auspices of the Council of Europe, a Council of Europeans abroad, a body representing European expatriates at the pan-European level.

I. Draft recommendation [[Link to the adopted text](#)]

1. Several million Europeans live legally outside their countries of origin, both in Europe and outside the continent, and regular migration flows are constantly on the rise. For some countries, in particular in Central and Eastern Europe, the question of links with their expatriates is a relatively new problem.
2. Migration policies in most Council of Europe member states which consider themselves host countries are based mainly on issues concerning immigration and integration, ignoring the emigration dimension.
3. Models of relations between countries of origin and their expatriates in Council of Europe member states differ from strong and institutionalized to loose and informal ones. There is no harmonization in this respect at the pan-European level.
4. The Parliamentary Assembly believes that it is in the interest of states to ensure that their expatriate nationals continue to actively exercise their rights linked to nationality and contribute in a variety of ways to the political, economic, social and cultural development of their countries of origin.
5. At the same time expatriates have an important role to play as an intermediary between countries of origin and host countries, and their cultures, promoting co-operation and exchange in different fields, based on respect for other peoples and cultures.
6. Multiculturalism and cultural and religious diversity are now a reality and must be reflected in coherent and co-ordinated migration policies involving both host countries and countries of origin. Expatriation is the outcome of increasing globalisation and should be viewed as a positive expression of modernity and dynamism, of real economic benefit for both receiving countries and the countries of origin.
7. It is essential for all parties concerned that the right balance between the process of integration in the host country and the links with the country of origin are defined and maintained.
8. The Assembly regrets that little follow-up has been given to the main postulates included in [Recommendation 1410](#) (1999) on the links between Europeans living abroad and their countries of origin. It stresses their importance and it refers to other relevant texts touching upon different aspects of this vast subject: [Recommendation 1500](#) (2001) on the participation of immigrants and foreign residents in political life in Council of Europe member states; [Recommendation 1587](#) (2002) on the residence, legal status and freedom of movement of migrant workers in Europe: lessons from the case of Portugal; and [Recommendation 1492](#) (2001) on the rights of national minorities.

9. For these reasons, the Assembly recommends that the Committee of Ministers:

- i. invite member states to:
 - a. review their emigration policies and solutions in the field of relations with their expatriates with a view to improving and strengthening them;
 - b. establish institutional links with expatriate communities if it has not already been done, aimed at enabling them to defend their rights, express their opinions and influence any decisions which might concern them;
 - c. take account of their expatriates' interest in policy-making, in particular concerning questions of nationality, political rights including voting rights, economic rights as well as taxation and pensions, social rights including social schemes and cultural rights;
 - d. encourage and support the activities of expatriate associations and NGOs;
 - e. promote and support all forms of co-operation with their expatriate communities.
- ii. promote an exchange of views and co-operation between Council of Europe member states as regards political, legal, economic, social and cultural measures aimed at strengthening the links between European expatriates and their countries of origin;
- iii. review the existing models of relations between expatriates and their countries of origin, with a view to making proposals for the introduction of legally binding measures at the European level;
- iv. consider the elaboration and implementation of specific programmes and projects aimed at encouraging qualified expatriates from particular countries to return to their country of origin;
- v. initiate the establishment, under the auspices of the Council of Europe, of a Council of Europeans abroad, a body representing European expatriates at the pan-European level;

- vi. initiate the elaboration and establishment of a pan-European, harmonised system for collecting statistics on the nationals of Council of Europe member states living in other Council of Europe member states;
- vii. clarify different administrative concepts, classifications and definitions concerning expatriates with a view to harmonizing them at the European level;
- viii. involve associations and NGOs in activities concerning expatriates.

II. Explanatory memorandum by Mrs Bušić

1. This report follows on from the one presented at the Parliamentary Conference held in June 1997 by the Council of Europe Committee on Migration, Refugees and Demography on links between Europeans living abroad and their countries of origin. It is aimed at taking stock of the advances that have been made in this field, and the relevant positions adopted by the States of central and Eastern Europe which have recently joined the Council of Europe. It will also endeavour to make a number of innovative proposals to improve our capacity to take account of intra-European migration flows and to optimise the impact on both the sending and the receiving countries.

2. Until very recently researchers paid little attention to relations between states and their nationals living abroad, in contrast to the question of foreign nationals living in their countries. Politicians like Mary Robinson, who as President of the Irish Republic emphasised the need to represent the whole of the nation, including the emigrant community, were very much the exception.

3. The subject could only be dealt with in a very limited fashion, in so far as these relations were practically non-existent. Emigration was essentially definitive and permanent, involving a more-or-less complete break with the country of origin. Such expatriates were mainly viewed as immigrants to the host country, whose main concern was to promote their integration, or even assimilation. Such emigration was also mainly economic and few countries would have wished to concern themselves about the well-being of men and women whose expatriation reflected their own inability to assure them a decent future. Besides when emigration took on a political dimension, as was generally the case with States like Greece and the countries of central and Eastern Europe before the fall of the Wall, the relevant overseas communities were distinctly hostile to the governments in power.

4. As shown in the 1997 report for the Council of Europe, emigration was generally only seen in negative terms in Western Europe, even though Article 13 of the 1948 Universal Declaration of Human Rights states that everyone has the right to leave any country, including his own, and to return to his country.

5. Even today, unfortunately, certain states are clearly reluctant to assist their expatriates, particularly ones in northern Europe for whom expatriation is a form of desertion for largely tax avoidance purposes. This hostility is further increased by European states' growing need for immigrants: according to the UN's Department of Economic and Social Affairs, the countries of the European Union will virtually be obliged, during the next 50 years, to take in 70 million foreigners so as to fill the growing population gap and cope with a labour shortage in certain sectors of the economy.

6. There may also be a form of resentment towards exiles who, while undoubtedly contributing to their country's democratisation, did so from outside without experiencing the day-

to-day problems and oppression of domestic life. It may also apply to compatriots who have succeeded too well elsewhere. Although two Baltic states have elected expatriates to head them, a mayoral candidate in Jerez in Mexico had his victory overturned because he had not lived continuously in his home town for the year preceding the election, and newly elected members of parliament in both Turkey and Australia have also been challenged on account of their dual nationality.

7. Such attitudes may also be linked to a latent fear in certain countries, where the nation-state concept has been severely weakened by economic globalisation and the process of European integration, that the development of a national community with no territorial roots would pose a further threat to their sovereignty. The notion of territory is such an integral part of nation-state building, and even of European construction, which is itself based on international treaties between sovereign states, that expatriation is surrounded by a certain conceptual vacuum. It appears to pose a challenge to the principle of a clearly-defined nation-state, comprising a people occupying an area bounded by intangible frontiers. Even the establishment of Euro-regions is based on a certain geographical unity of place, with the participation of just two or three states.

8. Finally, states may find it difficult to come to grips with such expatriation and finding ways of assisting those concerned. In Mexico, for example, the government has expressed its readiness to grant its emigrants the right to vote but is not too clear how to set about this task, despite the eight and a half billion dollars sent home each year by its expatriate community.

9. Currently, the 180 million persons living outside their national frontiers include several tens of millions of Europeans. We can no longer ignore this phenomenon, which demographers all agree will continue to grow. At a time of globalisation and a weakening of the Westphalian notion of the nation-state, diasporas will become increasingly important and it will be in every state's interest to maintain and develop special and close links with its nationals abroad.

10. In the late 1950s, the great economist Albert Hirschman famously noted that economic development was a function less of the allocation of existing resources than of the mobilisation of ones that were hidden, dispersed or under-exploited. This is particularly applicable to expatriation. Yet it was not until the late 1970s that countries of emigration - and I am thinking particularly of southern Europe - started to recognise the possible benefits of a greater concern for migrants' interests and the need to assist the organisation of diasporas. This awareness went hand in hand with the democratisation process in several of these countries and recognition of the potential financial transfers that might be involved.

11. The advent of democracy in central and Eastern Europe, to which expatriates often made a vital contribution, also helped to reinforce awareness of the important role of emigration and the

need to channel it to maximise the economic and cultural benefits.

A. European migration in the social and economic context of globalisation

12. Over the last five years there has been a further development in migration with the appearance of non-territorial-based communities and diasporas abroad. Six European countries have foreign populations of more than one million: Germany (7.3 million), France (6.2 million), United Kingdom (4 million), Switzerland (1.8 million), Italy (1.6 million), and Spain (1.2 million)[1]. States that were traditionally countries of immigration have seen a rise in emigration and vice-versa. For example, the countries of emigration, Ireland and those of southern Europe (Greece, Spain, Portugal, Italy), receive flows of immigrants equalling or even exceeding their annual totals of emigrants, even though these "immigrants" do include many "emigrants" returning to the country.

13. Migrants also come from a great variety of origins, with the proportion of immigrants from European states ranging from 97.9% (Slovenia) to 33.2% (United Kingdom). Intra-European migration in 1997 accounted for just 17% of admissions to Finland and 21.4% in Sweden. In contrast, 56% of admissions to Belgium and 78.3% in the case of Luxembourg came from other European states (Eurostat figures for 2000). Whereas the Balkan crises gave rise to emigration on a huge scale, the countries of Eastern Europe still receive a large proportion of their immigrants from their former communist neighbours. The Czech Republic, for example, takes in large numbers of Slovaks, Hungary receives many Romanians, and numerous Ukrainians move to Moldova. Three-quarters of immigrants to Romania come from Moldova. There is a virtually constant flow of migrants between Russia and the former Soviet republics (mainly Kazakhstan and Ukraine), but as in the case of all other central and East European countries, these flows alternate and do not last for very long. Only Poland attracts very large numbers of immigrants from Western Europe and North America, many of these in fact Poles wishing to return from exile to their country of origin.

14. One particularly striking example of the development of emigration in industrialised countries, albeit one which lies outside the scope of this study and of the Council of Europe's geographical ambit, is the United States, a traditional El Dorado for prospective emigrants since the 19th century. While 900 000 immigrants still arrive there every year, an estimated 250 000 to 300 000 Americans now leave annually. Although most of these are former immigrants returning to their countries of origin, around 100 000 of them are Americans born and bred. Estimates from the American Department of State indicate that 3 200 000 Americans currently live abroad - one million more than in the 1990s - with a preference for neighbouring countries (627 000 in Canada and 550 000 in Mexico).

15. So it is no longer really possible to speak of countries of emigration or immigration without immediately qualifying our use of these expressions. Migration flows nowadays go in both directions, and this is particularly true of Council of Europe member States. Although migration between European Union member states is relatively limited, there is likely to be an increase in east-west movements following Union enlargement. In the second half of the 1990s an annual average of one EU resident in a thousand settled in another member state, of whom 42% were women (47% in the countries other than Germany, where women constituted just 36% of migrants from other member states over the period concerned). However enlargement opens up the prospect of increasing migration, even though it should continue to be dominated by "local migration", with the greatest impact on regions bordering the Union's former eastern frontiers, and is unlikely to be on the scale many fear.

16. According to estimates, emigration from the new member states to the 15 existing ones may initially only concern about 350 000 persons. Annual net arrivals would subsequently decline so that by 2030 the total number of non-national residents of the original 15 EU countries from the new member states would stabilise at around 3.5 million. The introduction of transition periods would stagger the flow of incomers over a longer period[2].

17. This trend, which is a consequence of economic globalisation, the dismantling of certain State structures, the gradual disappearance of national boundaries and the development of transport and telecommunications, especially Internet and satellite technologies, is constantly intensifying and is bound to become one of the defining characteristics of the 21st century. In the specific case of European migration and from a sociological standpoint, we are witnessing a fundamental change in the very nature of emigration.

18. From the outset of mass migration in the 19th century through to the 1970s, emigration was predominantly economic and permanent in nature and affected the least well off and least qualified members of the poorest regions - Italian and Polish emigration to the French coalfields in the 19th century, or Spanish and Portuguese emigration to industrial countries. Emigration now includes the temporary movement of highly qualified persons and young persons seeking employment experience abroad, so countries of origin have every interest in retaining links with them and encouraging their return. Similarly, whereas people once left to take up permanent residence in a particular country, cross-border mobility has considerably increased and can take in several countries or even continents. Developments in transport and new communication and information technologies have made the notion of permanent emigration obsolete, while that of a planned return, as well as of shared allegiances, residences and cultural and national identities in the context of transnational communities, is now much more viable. These developments have been accompanied by a semantic change, so that we now speak much less of emigration than of expatriation, something that is viewed as

a beneficial, and even essential, stage in a professional career.

19. The existence and development of these two-way flows in the European countries represents both a challenge to governments and an opportunity for the migrants themselves, who thereby gain in visibility and are entitled to the status of equal players in the civic life of both their host countries and their countries of origin, even transcending the principle of reciprocity. Although the directives on freedom of circulation and settlement in European Union countries have encouraged these migration flows, little has been done since the formal inclusion of data on "European citizenship" in Article 8 of the so-called Maastricht Treaty to give any real political and legal dimension to such citizenship, which, ten years on, is still largely an empty shell.

20. Similarly governments do not yet appear to have fully appreciated the potentially beneficial effects of emigration and few of them have established arrangements for channelling and supporting such emigration. What makes this even more of a challenge is the fact that there have been fundamental changes in the nature of emigration. Unlike the traditional flows of relatively unqualified manpower, those concerned tend to be professionals, entrepreneurs and academics whose initial training has cost their countries of origin a great deal of money. In a world governed by the laws of the marketplace, the main danger for these countries is that if they fail to establish a cultural, affective and political bond with those concerned, this emigration will be a one-way process, and the best and the brightest will leave for ever for more flourishing economies. This could eventually lead to a socio-geographical reconfiguration of Europe, something certain people already claim to detect, for example with the influx of specialists in finance and international trade into London, at the same time as older Britons are moving to the sunnier - and less expensive - regions of southern Europe.

21. Albania lost a third of its qualified population after the fall of communism. It is estimated that there are 8 000 Albanian students in Italian universities - more than in Tirana - and that only 5% of them will return to the country. Such brain drains may appear to be a real problem in relatively poor countries, by depriving them of intellectual capital and drive and reducing the overall tax base. Jagdish Bhagwati, professor of economics at Columbia University, has even proposed the introduction of an expatriation tax, as Eritrea did in 1993 with a 2% annual tax on the income of its expatriates, to compensate for the value created by their education in their country of origin[3]. However such a proposal would be counter-productive and encourage illegal immigration. A better idea might be for studies to be financed not by the state but through loans.

22. However, as Ioan Mihailescu, Rector of Bucharest University and co-author of a UNESCO report on the impact of the brain drain on the academic labour market in south-east Europe, has noted, there is a tendency for the brain drain to decline over time. Between 1995 and 1997, half of his physics graduates left the country, mainly for the United States, but six years later the figure

was down to 10%, because the improvement in the economy had increased the need for qualified scientists and technicians and salaries had doubled or tripled[4].

23. This highly qualified emigration may have a regulatory effect on the labour market. By leaving the country, expatriates may allow others to improve their living standards, and may also eventually return, when the economic situation improves, to give their fellow citizens the benefit of their expertise and respond to employment needs in their field. It would therefore be more appropriate to speak of a "brain movement" than a "brain drain". In the context of movements of population, and of goods and services, it can only be beneficial to the two countries' economic development, provided that it is properly assessed, controlled and supported, and that close links are maintained with the country of origin. The development of the Internet also makes it relatively easy to maintain a flow of communications, as well as create a network of specialists ready to help the country of origin by making available their expertise. Preparations and incentives for return are also essential in the economic and demographic circumstances associated with the ageing of Europe's population[5].

24. One tangible advantage is the flow of remittances from migrants. In Albania they are reportedly the equivalent of 75% of the value of exports of goods and services. IMF figures indicate that developing countries officially receive more than 60 billion dollars a year from such remittances, 6 billion more than they receive in official aid from the OECD countries. And each dollar sent is estimated to generate 3 to 4 dollars of economic growth in the country of origin. India, which trains more professionals than it can find jobs for at home, is campaigning in international trade negotiations for migration to be included in the General Agreement on Trade in Services, with a view to reducing illegal immigration and facilitating the transfer of emigrants' funds. The European Union was quite right to make migration a "strategic priority" at the Tampere and Seville summits. As a result the European Commission has recently confirmed its commitment to integrating immigration policy into the European Union's external relations (particularly with low income countries) through closer co-operation and partnership with other countries, making use of existing instruments, and notes that "if carefully managed, [immigration] can be a positive factor for growth and success of both the Union and the countries concerned"[6].

25. We shall see that little progress has been made in this field of expatriate rights. Most of the recommendations issued by the Council of Europe's Committee on Migration, Refugees and Demography following its 1997 report have gone unheeded. For instance, no real progress has been made in establishing systematic monitoring by each State of its migration flows, and some European States have in fact retained a highly negative view of expatriation, suspecting it of occurring solely for tax purposes. And yet systematic evaluation and reliable interpretation of expatriation would greatly facilitate any economic and social analyses of the expatriates' potential or proved impact on countries of origin.

26. A proper census should also be taken as the first step towards improving the status of migrants: this would lay the foundations for the possible eventual conferral of genuine electoral rights in both the country of origin and the host country. It is also essential to improve the links between emigrants and their countries of origin by helping to establish networks of experts and skills.

27. Unfortunately there are no reliable statistics on immigration[7]. Yet there is an urgent and desperate need for such official statistics, based on standardised assumptions and criteria and using value-free analytical tools.

28. Net migration flows give no idea of the numbers of arrivals and departures. For example, official Community statistics cannot even supply information on the ratio of emigrants to immigrants in Belgium, France or Luxembourg, and there are no figures on emigration for Spain and Greece[8].

29. Despite the Council of Europe recommendation, no countries have so far carried out a census of their expatriate nationals and official estimates often bear little relation to reality. For example, Georgia's official statistics indicate that 300 000 persons left the country in the 1990s whereas most observers consider that these figures take no account of illegal or non-definitive emigration and that the real figure was between 600 000 and 1 100 000.

B. The legal framework for relations between expatriates and their countries of origin

1. Towards an international expatriates' law?

30. There is still no such thing as a genuine international system of law on migrants, and so it is vital and urgent that we get down to collating all the dispersed data and texts in order to build up a genuine corpus of rules applicable to all migrants, an international legal framework setting out all their rights and obligations, as well as those of the different States, in such a way as to protect these migrants, be they foreigners or expatriates. Nor is there any European system of law on migrants: neither the European Convention nor the case-law of the Court and the former Commission mention the "status of foreigners". More often than not, aliens are merely covered by a separate set of provisions, many of which are in fact restrictive. Nevertheless, the diversity of legal systems in Europe militates strongly for the establishment of such a status. In fact, such an objective would be in line with the Council of Europe's main aim, which is, according to the Preamble to the Convention, "the achievement of greater unity between its members" on the basis of "a common understanding and observance of (...) human rights", the member States affirming that they are like-minded and have "a common heritage of political traditions, ideals, freedom and the rule of law". This objective would also tally with the aims of the European Union. However, as

some writers have pointed out with reference to the status of Jews under the Third Reich, which lumped Jews and foreigners together for the sole purpose of spurning them in society, such a right, which can hardly be anything other than a "special" status as compared with that granted to nationals, must not be allowed to become a "status of exclusion".

31. While all legal systems recognise human rights protection as universal, including respect for human rights among the exceptional principles of *jus cogens*, or mandatory international law from which no State can derogate, ever since the 1648 Westphalia Treaties legal doctrine has been wary of granting migrants any rights beyond the elementary civil rights. In fact, the different States have consistently fenced in the application of such rights with the concept of public order.

32. According to the universalistic conception of international law developed in the days of Vitoria Suarez and Grotius, a State is nothing other than a member of humanity as a whole, and from this Christian principle of universal brotherhood derives the rule that each State must respect the humanity in all human beings, even if they are foreigners. In Volume II of his "The Law of Nations", Emmerich Vattel devotes a whole chapter to "rules in respect of foreigners"; here he affirms that foreigners are not completely subject to the State on whose territory they find themselves, that they must obey the general laws but that their absence from their homeland does not mean that they forfeit the status of members of their Nation and that they must therefore be treated accordingly. At its first session, in 1874, the Institute of International Law declared that the legal capacity of foreigners and their admission to enjoyment of civil rights exist independently of any stipulation of treaties and any condition of reciprocity.

33. Furthermore, a genuine European human rights law has gradually grown up under the aegis of the Council of Europe, a dimension which is now being absorbed by Community law. There is virtually no longer any organised legal discrimination between nationals and aliens in the territory of the European Union, where everyone in principle enjoys the same civil rights. However the scope of the European Court of Human Rights' case-law, which often serves as a reference in international law, is sometimes limited by state reservations.

34. A number of other international legal instruments also deal with the treatment of migrants. For example, only a few days ago, on 10 December 2002, the National Parliament of Timor Leste (East Timor) became the 20th State to adopt the United Nations Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, thus simultaneously bringing this instrument into force. This Convention adopts a comprehensive approach to migrants' human rights, incorporating a whole range of civil, political, economic, social and cultural rights into a single instrument. The Convention takes account of all aspects of the migration process and therefore provides effective protection for victims of abuses in the countries of origin, transit and destination, whether such persons are legal or illegal immigrants and whether

they are in possession of the requisite official documents or not. The Convention also plays a major role in the field of preventing and eliminating exploitation, trafficking and smuggling of migrants.

35. International legal doctrine was long based on the national approach, embracing the entire concept of the territorial sovereignty and reciprocal independence of States, which posits that individuals only exist as subjects of a State, under which they are subsumed. The migration process challenges the very foundations of this doctrine and cries out for the formulation of a genuine international system of migration law which would not be confined to respect for human rights but would operationalise such respect by granting migrants proper political rights in both their host countries and their countries of origin. This is necessary because most other civil rights, such as the freedoms of association, expression, religion, assembly and demonstration are deemed to be fundamental rights applicable both to citizens and to non-citizens. The same applies to social and trade union rights, which are more often linked to resident than national status. While the States are required to grant foreigners the public freedoms needed for human personality, a "sphere of freedom" shielded from any interference by the State, many lawyers consider that a clear distinction must be drawn between public and political rights, the latter embracing all the rights to participate in any way in the formation of the will of the State. Similarly, it is generally agreed that the State of residence is entitled to exclude foreigners from all public posts in the civilian and military spheres, as well as from any duties comprising delegation of a proportion of State power.

36. All contemporary legal rules are based on the theory of State sovereignty bequeathed by the Treaties of Westphalia, and political rights are still an exclusive matter for individual States, which are seldom very generous in this area. Consequently, the field of political rights is often a stumbling block in international negotiations, and such international texts as the United Nations Covenant on Civil and Political Rights show great circumspection where the granting of political rights is concerned.

37. Although the European Convention for the Protection of Human Rights and Fundamental Freedoms, adopted on 4 November 1950 under the auspices of the Council of Europe, requires Contracting States to secure the rights and freedoms which it defines "to everyone within their jurisdiction" (Art. 1), therefore covering both nationals and foreigners, even this instrument adds, in Article 16, that "nothing in Articles 10, 11 and 14[9] shall be regarded as preventing the High Contracting Parties from imposing restrictions on the political activity of aliens". So this explicitly authorises States to derogate from Article 14, which prohibits any discrimination in the exercise of the rights and freedoms set out in the Convention and to restrict political activity on the part of foreigners in the context of such freedoms as those of expression, political assembly and association, even within a trade union.

38. This Article 16 originated in the meeting of the committee of experts in February 1950, which envisaged restricting the rights of "non-nationals" in a draft Article 7 to the effect that every State

should retain the power to establish special rules governing the enjoyment and exercise of the rights in its territory by non-nationals, subject to the principles listed in the ensuing article. In its preliminary draft report, the committee of experts acknowledged that they had taken account of the fact "that, in accordance with a universally admitted practice, the exercise of the fundamental rights by foreigners (non-nationals) may be subject to certain restrictions not applicable to nationals. These restrictions, however, must not violate the general principles of law as recognised by civilised nations"[10].

39. Furthermore, Germany used Article 16 to justify its reservations to the Covenant on Civil and Political Rights in the field of the exercise of political activities by aliens: Articles 19, 21 and 22, in conjunction with Article 2 para. 1 of the Covenant will only be applied in so far as they are not incompatible with the legal restrictions laid down in Article 16 of the Convention. Austria followed suit, stating that these articles would be implemented to the extent that they were not incompatible with the legal restrictions mentioned in Article 16 of the Convention, as did France, which stipulated that Articles 19, 21 and 22 of the Covenant would be applied in accordance with Articles 10, 11 and 16 of the Convention[11].

40. Despite the debates on the possibility of ensuring the primacy of the European Convention on Human Rights over the Covenant as a specific regulation taking precedence over a general rule[12], whereby the States newly admitted to the Council of Europe were already parties to the Covenant, this restrictive provision has never given rise to any disputes before the organs of the Convention. Demands have already been heard from many quarters for the deletion of this Article 16, which Professor Decaux considers to be based on ill-defined concepts, in the absence of any European case-law, whereby it is unclear whether it constitutes a kind of duty of discretion which some people have attempted to cite against all foreigners, whatever their status, including refugees within the meaning of the 1951 Convention[13]. We might therefore conclude that case-law could restrict the scope of this provision and that the European Court of Human Rights might one day decide that the principle of proportionality, in so far as it applies to restrictions imposed under the Convention in general, must also apply to Article 16[14].

41. Moreover, while illegally resident aliens are covered by the fundamental human rights (prohibition of torture or inhuman and degrading treatment, etc), they are protected by neither Article 2 of Protocol No. 4, which relates to the rights of freedom of movement and choice of residence in the territory of a State, nor by Article 1 of Protocol No. 7 on the expulsion of aliens.

42. Although nationals of a member State of the European Union in principle enjoy freedom of movement and residence throughout the territory of the Union, the different treaties include restrictive provisions enabling States to derogate from these rights in cases involving public order and national security. According to Article 3 of Protocol No. 4 to the European Convention on Human

Rights, only the nationals of a State cannot be expelled from its territory or be refused entry into the territory of their own State. According to the former European Commission of Human Rights, individuals can only be expelled under a sovereign decision taken by a given State on the basis of its unfettered discretion. Accordingly, Article 6 cannot apply here, and even the safeguards laid down by Article 1 of Protocol No. 7 to the Convention apparently cannot always be respected, as shown by the case of the expulsion of an American journalist for the United Kingdom for reasons of national security^[15], or again in the Dorothee Piermont case.

43. Most international texts mention the power of expulsion, from the 1966 Covenant on Civil and Political Rights, through Protocol No. 7 to the European Convention on Human Rights and Article 22-6 of the American Convention on Human Rights, to Article 12-4 of the African Charter on Human and Peoples' Rights.

44. Another Council of Europe convention, the European Convention on Establishment of 13 December 1955, explicitly authorises any contracting party to "reserve for its own nationals the exercise of public functions or of occupations connected with national security or defence, or make the exercise of these occupations by aliens subject to special conditions" (Art. 13). According to the Protocol to the Convention, the definition of "public function" derives from application of "national criteria" (Section I, a, 4).

45. Furthermore, the granting of public freedoms is always subject to a twofold suspensive and resolute condition: aliens cannot exercise the rights granted to them until they have been authorised to reside in the territory, and can do so only for so long as they are authorised to remain there. While the international texts guarantee entry and residence for nationals, given that "no one shall be expelled, by means either of an individual or of a collective measure, from the territory of the state of which he is a national" (Art. 3 of Protocol No.4 to the European Convention) and "no one shall be arbitrarily deprived of the right to enter his own country" (Article 12-4 of the International Covenant on Civil and Political Rights), foreigners are excluded from these guarantees; neither of these instruments challenge the sovereign right of every State to refuse access to its territory and the right to reside there for anyone who does not hold its nationality.

46. The same applies to the granting of nationality, which is an essential attribute of national sovereignty^[16], and therefore also to the granting of political rights.

47. So foreigners are the subject of a virtually universal incapacity in the political sphere, as the general view is that alien status is antithetical to citizen status, the citizen being the holder of civil and political rights.

48. However, nationality is not always sufficient, and many expatriates discover that their expatriation deprives them of representation in their country of origin. For instance, many

European States exclude their expatriate fellow citizens from any participation in their national democratic processes. The drafters of the European Charter of Fundamental Rights did not consider fundamental the right of a person to participate politically in the State whose nationality he/she holds.

49. Therefore, the Council of Europe would be making an extremely useful contribution if it were to encourage countries to relax their national rules on expatriation, particularly with a view to permitting dual nationality and improving the representation of expatriate Europeans in their State of origin, by granting voting rights or, in view of the large numbers of expatriates in some countries, by setting up consultative councils or special extra-territorial constituencies. It is also important, particularly for central and east European countries, to create a common consultation and co-ordination platform at the European level.

2. Measures to assist expatriates

2.1 National measures

50. Expatriates must be able to retain citizenship, or at least strong affective, links with their countries of origin. One particularly important step could be to create, as many European countries have already done, a special ministerial-level department responsible for expatriation matters.

2.1.1. Improvement of the access to dual nationality

51. States must accept the dual nationality principle, which alone is sufficient to take due account of the almost inevitable dual or multiple allegiance associated with expatriation. It is therefore particularly encouraging that in 1997 the Council of Europe revised its excessively restrictive 1963 Convention, which had inexorably led to a number of highly regrettable situations. They must also encourage the restoration of nationality to all those who have lost it as a result of expatriation, marriage to a foreign national or acquisition of the nationality of the host country. The "Finnish Expatriate Parliament", set up in 1997, obtained promulgation of a law in June 2003 authorising dual nationality, although it now condemns the rather dissuasive cost of the process for obtaining this (300 Euros).

2.1.2. A better protection of the expatriates

52. States have a duty to protect their expatriates because they are the first to be exposed when difficulties arise. This applies to terrorist activities (the French victims of the terrorist attacks in Karachi in May 2002 or the British ones during the Istanbul attack in November 2003), health risks (the Italian doctor killed by the atypical pneumonia virus) and the social field (nationals of other countries are often the first to be threatened by rising unemployment or certain destabilisation campaigns when the interests of the country of residence diverge from those of the country of origin, as can still occur today in very large states). Certain states have already set up security committees within their

embassies and consulates, with emergency cells which can readily be activated and with both local and national warning machinery.

53. Protecting the rights of expatriates abroad is often enshrined in countries' constitutions, particularly in central and Eastern Europe, as in Albania and Slovenia. Article 7 of the Romanian Constitution, for example, requires the state to strengthen links with Romanians abroad and help them to preserve, develop and express their ethnic, cultural, linguistic and religious identity, in accordance with the legislation of the countries of which they are citizens. Article 49 of the Constitution of "the former Yugoslav Republic of Macedonia" also states that "The Republic cares for the status and rights of those persons belonging to the Macedonian people in neighbouring countries, as well as Macedonian expatriates...". These articles go even further than international law, which acknowledges states' duty to protect their nationals, by extending protection to all persons of Romanian origin, whether or not they have retained their nationality.

54. This is also the tenor of the Hungarian "status law", approved by parliament in June 2001 by a 93% vote for, which was highly controversial outside the country and even led to talk of "constitutional nationalism". The law concerns Hungarian nationals (but not citizens) living in neighbouring countries and offers them benefits when they visit Hungary and financial assistance in their own country. The aim is to create a link between the state and its non-citizen nationals, thereby establishing a form of transnational or transfrontier citizenship. According to the Hungarian Minister for Foreign Affairs: "In the future it won't be the territorially defined state that determines everything.... in the future there won't be minorities, only communities, and I believe that our continent will become a community of communities.[17]"

2.1.3. Fight against discriminations

55. Not only are states under an obligation to ensure that human rights are respected and all forms of discrimination based on origin, gender, language or religion eliminated, but they must also attempt to rectify the often appalling discrimination expatriates may suffer, particularly in the social field. One example concerns British retired persons living abroad in Japan, South Africa and Australia, whose pensions are not inflation-linked. An appeal is currently before the High Court, after a lower court had ruled against a retired person on a low income and in favour of the government on the grounds that indexation was a matter not for the courts but for parliament. In France a social security scheme has been established for expatriates. Responsibility for this is in the hands of a Senator who represents French persons living outside France, and it should be noted that the French social security agency is the only beneficiary. Other subjects of complaint and demand by expatriate European nationals include the recognition of educational qualifications, simplification of investment procedures, the representation of emigrants in state political institutions (Bosnia and Herzegovina), political, cultural and economic assimilation in neighbouring countries (Bulgaria), postal voting (Czech Republic), education in the mother tongue and the combating of statelessness

(Russia), and improved scope for voting, a lowering of pension taxation and specific radio broadcasts (Finland).

2.1.4. A duty to provide cultural and linguistic support

56. Teaching or maintaining language, culture and identity must be encouraged by the establishment of school or language support networks. Here again there has been a change in attitudes: whereas a few years ago knowledge of the country of origin's language was considered a handicap and an impediment to integration, it is now seen as an advantage and a source of pride. However a great deal still depends on the co-operation of host countries, some of which still consider that retaining one's original language hinders integration and therefore oppose such measures.

57. Regarding the duty to inform and communicate, several television stations serving overseas communities have been immensely successful, examples being Polonia, or TV Globo, for persons of Portuguese origin. These media help to maintain a certain social and cultural cohesion by encouraging the use of the language of origin in the face of Anglo-American dominance. They also assist integration in the host countries. There is an immense demand for information in the language of origin. For example the combined circulation of the 46 ethnic newspapers in Vancouver, two of which are Chinese dailies, is greater than that of the two main English language papers[18].

58. Expatriate communities, who are among the leading Internet consumers, also need sites where they can find all the necessary information. Once again, at relatively low cost states could help to reinforce social, affective and cultural cohesion and prepare for possible return to the country of origin.

2.1.5. Need of employment support

59. Those concerned need employment support in their host countries, for example via consular committees that could offer reliable information, in emigrants' own language, on the labour market, the cost of living and any suitable training. This is one way of avoiding the frequent exploitation of emigrants by unscrupulous private agencies.

60. There is also a need for better knowledge of expatriates' areas of activity, so that networks can be set up and developed for technology transfers and for exchanges of information, in an effort to promote the development of the country of origin. Links and support can be organised on a bilateral basis to help channel emigration and offset such negative effects on the country of origin as failure to reap the returns from investment in education and training. For example the University of Bucharest is discussing with the Netherlands government the possibility of Dutch being taught to workers in the information technology, health and education fields who might subsequently be recruited to the Netherlands.

2.1.6. Need of political representation

61. Political representation is the only real way of ensuring that there is someone to keep a watching brief over and mediate between expatriates and their country of origin. Granting political rights to migrants is a continuing and universal demand, which is also consistent with the principles of democracy and citizen equality.

62. Unfortunately, although there is a tendency worldwide for political rights to be given to emigrants, many states, including some in Europe, remain hostile to the enfranchisement of their expatriates. A striking example is that of Ireland, whose millions of expatriates still have no right to vote. There are also some instances of regression, with the United Kingdom reducing the maximum period of residence abroad from 20 to 15 years. Other countries have decided not to open polling stations in certain countries where an insufficient number of voters is registered. There has also been a reduction in the scope for voting in France, where the regionalisation process has resulted in French nationals living abroad no longer being allowed to vote at consulates in European Parliament elections.

63. The hesitancy expressed is connected either with the presumed cost of organising elections abroad or with fear of the effect on the results (British expatriates are, for instance, blamed for a Conservative victory in the 1992 general election, when a Tory won by 19 votes in a constituency which had 38 expatriates on its electoral roll. Some opponents who reject the legal principle of civic rights based on nationality also reverse the argument about the link between representation and taxation, in rather similar vein to the sorry supporters of restriction of the franchise to landowners in the 19th century.

64. Progress has successfully been made since 1997. Czechs living abroad, for example, voted last year for the first time. Their Italian counterparts now have the right to vote and special parliamentary representation.

65. Where such rights do exist, the voting methods need to be adapted, for example to allow postal or, even better, electronic voting. Lithuania, for example, has announced a change in the procedural rules to allow postal votes to be cast at least fifteen days before polling day and France introduced electronic voting in the USA for the elections to the CSFE (council for French residents abroad) on 1 June 2003. Electronic voting does seem to be the most effective way of encouraging voters to turn out (most of the European states questioned record a turnout deficit of between 10 and 20%). It is, of course, particularly appropriate to the restricted situation of expatriates.

2.1.7. The counting of nationals living abroad

66. States have made no real progress in establishing systematic monitoring of their migration flows. Yet methodical evaluation and appraisal of expatriation could contribute

significantly to economic and social analysis of countries of origin. The very first step towards improving migrants' status should be a proper census, to provide a baseline for the establishment of electoral rights in both countries of origin and host countries.

2.2 European measures

2.2.1. A better knowledge of European migration flows

67. As noted above, one of the first steps must be to establish a Europe-wide and harmonised system for collecting statistics. Countries tend to use different methods for collecting data, and may change their method from one decade to the next, giving rise to serious interpretation difficulties. Administrative concepts and classifications also need to be clarified. For example, the term immigrants sometimes includes nationals returning to the country after a certain period of expatriation. In certain countries, the term "emigrants" has a legal meaning which differs from that of the word "expatriates" or of the concept of "citizens permanently settled abroad". Russian MPs[19], for example, insist on use of the expression "compatriots living abroad" in Russian legislation[20], this term having a different meaning from "citizens resident abroad" or "expatriates". It is also vital for a statistical instrument to take into account whether or not the data subjects hold dual nationality.

68. At last June's Thessaloniki Summit, Greece called for an annual report on migration and integration in the European Union. According to the Greek Foreign Minister, Giorgos Papandreou, such a report would be "the first ever completely independent and systematic mapping of EU-wide migration data, policies and administrative practices on immigrant admissions, border and interior controls and on integration policies".

69. It is also vital for a firmer line to be taken against illegal immigration and the trafficking of human beings, a 13 billion dollars-a-year trade which curbs the return process. The provision of information about the consequences of the use of clandestine channels needs to be improved, as does support for lawful emigrants.

2.2.2. Encouragement of expatriates' return

70. A programme to encourage expatriates' return through periods spent in their country of origin would be a good way of helping these countries to benefit from the expertise gained by their expatriate nationals. It also seems vital to take the line already adopted by a number of European states and provide better information about the country of origin, and to take steps enabling possible reintegration to be facilitated (through such means as regional correspondents, administrative practice information centres, etc).

71. The United Nations Development Programme has established the TOKTEN (Transfer of Knowledge through Expatriate Nationals) plan to encourage expatriates to return to work on

specific projects. The International Organisation for Migration has a similar plan to encourage Afghan expatriates to return to their country and help in its reconstruction. Europe could easily adopt such an idea.

2.2.3. Development of a true European citizenship

72. Although there was considerable enthusiasm in expatriate communities for the notion of European citizenship in Article 8 of the Maastricht Treaty, nothing has been done since to develop the notion to their benefit. Yet it is essential, particularly in the context of building a 25-state Europe, to create a genuine form of solidarity between these expatriate communities, as a factor for harmonisation, negotiation and compromise. This is particularly relevant to central and eastern Europe, where the younger generations do not always make the link between their freedom and European construction.

73. Making the right to vote, whatever the place of residence, a fundamental civic right would constitute enormous progress. Unfortunately, we were unable to have this demand taken into account in the Charter of Fundamental Rights, probably because insufficient support was mobilised, nor by the European Convention responsible for preparing the architecture of the future European Constitution. At a meeting of representatives of European expatriate communities coinciding with last June's Thessaloniki Summit, the Convention's Chair, Valéry Giscard d'Estaing, emphasised the equality of all European citizens, as permanently enshrined in the Charter. This notion of equality could become a legitimate basis for demands in this area, as in others. Another proposal, made in 1997, was to draw up an international legal instrument, such as a convention under Council of Europe auspices, which would identify shared principles concerning the election process in each country: for example, the opportunities for election campaigning or the use of public premises on election days.

74. The draft European Constitution, in Article 7, on the subject of citizenship of the Union, reiterates Article 20 (formerly Article 8C) of the Treaty establishing the European Community, which provides that citizens shall, in third countries where the state of which they are nationals has no diplomatic or consular representation, enjoy the protection of any other member state. It would therefore be appropriate both to develop co-operation and information exchanges on the expatriate issue among the various Union, but also Council of Europe, member states, and also to reaffirm, in the European Constitution, this duty of protection. Thus the CSFE (High Council for French Expatriates), in a resolution of April 2003, called for a provision to be included in the draft European Constitution stating that the Union shall offer its support to those citizens of the Union resident outside the territory of its member states and ensure that their rights are respected.

2.2.4. Moving towards international law on migrants

75. The Treaty of Amsterdam, signed in 1998, which came into force the following year, transfers to the Community institutions

(Commission and Council) the powers formerly exercised by the 15 member states in the immigration field. It introduced to the Treaty establishing the European Community a new chapter (IV) on visas, asylum, immigration and other policies relating to the free movement of persons. It would therefore be conceivable for the European institutions to take joint initiatives relating to expatriation and, in particular, to prepare genuine international law on migrants. There is now an urgent need to collate the various provisions and texts on this subject to establish a genuine body of rules applicable to all migrants - an international legal framework setting out their rights and obligations and those of states, which would protect these migrants, whether considered as foreigners or expatriates. Nor is there any European law of migration, or governing the status of foreign nationals, either in the European Convention or in the case-law of the Commission or Court. Migrants are often simply the subject of a few provisions, some of which are very specific. Given the variety of legal systems in Europe, a specific status for migrants is essential. Such an objective would also be consistent with the aims of the Council of Europe, which according to the preamble to the Human Rights Convention is "the achievement of greater unity between its members", based on "a common understanding and observance of the human rights upon which they depend". This view is shared by all the member states, who are "like-minded and have a common heritage of political traditions, ideals, freedom and the rule of law", and would also be compatible with the goals of the European Union.

2.2.5. Advancing towards specific representation for expatriates in the European institutions

76. There should be special representation in the European Parliament for European expatriates, in the form of a transnational constituency reserved for Europeans living abroad. This would also allow the participation of Community citizens resident outside the Union, most of whom currently have no possibility of voting in these elections. Not only is it of obvious benefit to involve European migrants more closely in the process of European unification, but such an initiative would also provide a testing ground and make easier the gradual introduction of the uniform electoral procedure and the pan-European lists called for over a period of almost 30 years.

77. Consideration should also be given to special representation in the Council of Europe, for example through a council made up of elected representatives of the different national institutions or associations. This could form a third chamber of the Congress of Local and Regional Authorities of Europe.

78. Failing this, the organisation by the Greek Presidency of a Summit of European Diasporas to coincide with the June 2003 Thessaloniki Summit, which was attended by representatives from 24 European countries, could be followed up by the European Union, or developed by the Council of Europe with 44 member states represented.

C. Conclusion

79. As the globalisation process has caused both qualitative and quantitative variations in migratory flows, the repercussions of international migratory movements are no longer the same. The immigration issue is becoming less of a matter for national policies and taking on an ever-increasing Community dimension. While immigration remains a focal point of European migration policies, emigration is increasingly important and requires both an approach and attention of a specific kind. Migration policy can no longer be based solely on immigration/integration issues but must also incorporate an emigration dimension.

80. More and more lasting transnational links are being developed and these are changing the character of expatriation, which is now more a question of mobility than of emigration. This is particularly obvious where migration from Eastern Europe is concerned. Although many pessimists predicted a mass exodus to Western Europe, this has not taken place. Many central and east Europeans, like their counterparts in the West, are ready to leave, but not actually to emigrate. Countries of origin and of destination are changing, expatriation and temporary relocation intermingle in a dynamic migratory process increasingly based on exchanges and mobility.

81. Multiculturalism and cultural and religious diversity are now a reality and must be reflected in a coherent and co-ordinated migration policy involving both host countries and countries of origin. The aim must be not only successful integration but also preparation for return and reintegration, in the interests of economic efficiency and social cohesion. Expatriation is the living expression of the increasing globalisation of means of production and consumption. It is no longer something to put up with, but often forms part of a genuine individual economic strategy for the shorter and medium term. It must be viewed as a positive expression of modernity and dynamism, of real economic benefit for both receiving countries and countries of origin. As such expatriation has to be expected to increase, it is vital for the countries of origin, in their own interest, to introduce support measures upon which the success of expatriation depends, whether in the legal, social, civic, educational or cultural sphere.

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Members of the Committee: *Iwinski* (Chairperson), *Einarsson* (1st Vice-Chairperson), *Bušić* (2nd Vice-Chairperson), *de Zulueta* (3rd Vice-Chairperson), *Akgün*, *Akhvlediani*, *Alibeyli*, *Arabadjiev*, *de Aristegui* (alternate: *Agramunt*), *Arzilli*, *Bernik*, *Bousakla*, *Branger*, *Braun*, *Brinkel*, *Brînzan*, *Brunhart*, *Cabrnoch*, *Çavusoglu*, *Christodoulides*, *Cilevics*, *Dacic*, *Danieli*, *Debargé*, *Debono Grech*, *Dmitrijevas*, *Dokle*, *Donabauer*, *Err*, *Filipiová*, *Freiherr von und zu Guttenberg*, *Frimannsdóttir* (alternate: *Skarphéðinsson*), *Grzesik*, *Grzyb*, *Gülçiçek*, *Hagberg*, *Hancock*, *Higgins*, *Hoffmann*, *Ilascu*, *Jovašević*, *Lord Judd*, *Karpov*, *Kósá-*

Kovács, Kulikov, Kvakkestad, Lambert (alternate: *Ramoudt*), Le Guen, Liapis, Loutfi, Matviychuk, Nabholz-Haidegger, Naro, Nasufi, Nessa, Olin, *Popa*, Prijmireanu, *Puche*, Raguž, Rakhansky, *Reymann*, *Saks*, Shakhtakhtinskaya, Slutsky, Soendergaard, Stoitsits (alternate: *Wurm*), Stübgen, Szabo, *Tekelioglu*, *Tkác*, *Torosyan*, Vera Jardim, Verivakis, Vermot-Mangold, Vieira, *Wilkinson*, Wray, *Yáñez-Barnuevo*, Zavgayev, Zhirinovsky.
N.B. The names of those members present at the meeting are printed in italics.

Secretariat of the committee: Mr Lervik, Mrs Nachilo, Mrs Sirtori-Milner, Mrs Entzminger

[1] Source: International Organization for Migration, *World Migration 2003*

[2] European Integration Consortium (2001), *The Impact of Eastern Enlargement on Employment and Labour Markets in the EU Member States*.

[3] The Economist, 29 September 2002.

[4] The Economist, op. cit.

[5] H. Brückner, "Can international Migration Solve the Problems of European Labour Markets?", German Institute for Economic Research.

[6] COM (2002) 703, 3.12.02

[7] New-York Times "UN Coaxes Out the Wheres and Whys of Global Immigration," July 7, 2002.

[8] Eurostat 2/2003. David Thorogood, Karin Winqvist, Women and men migrating to and from the European Union.

[9] Provisions on freedom of expression (Art. 10), freedom of assembly (Art. 11) and the prohibition of discrimination (Art. 14).

[10] Andrew Drzemczewski, "The position of aliens in relation to the European Convention on Human Rights", Human Rights Files No. 8, Council of Europe, September 1985.

[11] Emmanuel Decaux, "Article 16", in Pettiti "La Convention européenne des droits de l'homme", *Economica*, 2nd ed., 1999, p. 491.

[12] G. Cohen-Jonathan, "Les rapports entre la Convention européenne des droits de l'homme et le Pacte des Nations Unies sur les droits civils et politiques", Régionalisme et universalisme dans le droit international contemporain, Pedone, 1977; see also P. Modinos, "Coexistence de la Convention européenne des droits de l'homme et du Pacte des droits civils et politiques des Nations Unies", Revue des droits de l'homme, Vol. 1 (1968), No. 1, p. 41 ff.

[13] Emmanuel Decaux, op. cit.

[14] M. Frowein, 1983 Colloquy on Human Rights, Funchal, Council of Europe, 1985; see also Council of Europe Colloquy on "Democracy and Human Rights", Thessaloniki, 1987 (publ. Engle 1990).

[15] Case of Philip B.F. Agee vs. United Kingdom, application no. 7229/78, DR 7, p. 164.

[16] The Universal Declaration of Human Rights as adopted in the form of a resolution by the United Nations General Assembly on 10 December 1948 establishes nationality as a human right, since Article 15 stipulates that "*Everyone has the right to a nationality. No one shall be arbitrarily deprived of his nationality nor denied the right to change his nationality*" This means that nationality is not a matter for the sovereign and exclusive competence of the State

because it thus becomes an attribute of the human being. However, even if the Declaration is not an international convention, many lawyers see it as the expression of an international custom or a general principle of law, but the rule thus set out contradicts the legislation of a wide range of States.

[17] Quoted by Fowler, B: Fuzzing citizenship, nationalising political space, University of Birmingham, 2002

[18] Grescoe, Taras (1994/95, Winter). "Hot Type." *Vancouver*.

[19] Reply to the questionnaire on "Links between Europeans living abroad and their countries of origin" (signed by Pavel Ermoshin, Secretary to the Russian Delegation to the Parliamentary Assembly of the Council of Europe).

[20] See the federal law "About state policy of the Russian Federation concerning compatriots living abroad", No 62-FL, 31/05/2002.