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Joint comments on the Commission Communication presenting
A Common Agenda for Integration Framework for the Integration of Third-Country Nationals in the European Union, COM (2005) 389 final

Introduction

Our organisations represent Churches throughout Europe - Anglican, Orthodox, Protestant and Roman and Greek Catholic - as well as Christian agencies particularly concerned with migrants and refugees. As Christian organisations, we are deeply committed to the dignity of the human individual, the concept of global solidarity and the promotion of a society that welcomes strangers. Churches and church-related agencies in Europe are active partners in providing services for migrants and refugees in both regular and irregular situations in order to improve their living conditions. With reference to the issue of integration, we refer to our paper “Integrating Migrants – Integrating Societies” Essential Elements for EU Migration Policy, issued on the occasion of International Migrants’ Day 2004.

We welcome the efforts made by the European Commission to promote a greater co-ordination of national integration policies and EU initiatives in this field, as requested by the Council in the Hague Programme. Our organisations insist on the need for action by the EU to actively support the implementation of the Common Basic Principles for Integration into national action plans. Integration policies have a major impact on social cohesion of societies. Therefore we stress the importance of involving all stakeholders in the process of adjusting and improving integration policies. In the same way we welcome the improved cooperation between the DGs JLS and Social Affairs and Employment.

With the Tampere agenda, fair treatment of migrants, including **integration of migrants** has been taken up as a cornerstone of a comprehensive EU migration policy. We value the view that integration is essential for European societies and thus appreciated the Thessalonica Presidency Conclusions, particularly to have annual reports on integration across the Union. The National

Contact Points on Integration can be a good instrument for monitoring European integration policies, though we would like to see governments giving their NCPIs more impact by providing them with the resources to set up national integration fora involving all stakeholders.

The EU needs a **common approach to integration policy** that promotes integration as a reciprocal process, with an active role for migrants as well as for the receiving society, resulting in an inclusive and welcoming society. The increasing diversity should be acknowledged and respect for diversity actively promoted as a positive factor, thus also promoting a better public understanding of migration and asylum matters. The EU competence in the area however is fairly limited. This could endanger the further development of a common approach and endanger the capacity and effectiveness of the EU to strengthen the networking and cooperation and exchange between all stakeholders.

General remarks

A successful integration policy depends on a range of factors and basic legal conditions. Equal rights for all legally residing citizens – including third country nationals – is the basis for equal opportunities in a society. Fair treatment of third country nationals has been recognised as essential for a comprehensive approach to a common migration and asylum policy.

A close monitoring of the transposition of Community Law into national legislation is essential to ensure **consistent and correct application**. We refer in particular to the two anti-discrimination directives¹. Many of the provisions however do not apply to third country nationals. We also refer to the long term residents' directive². However, this is also one example where too many categories of third country nationals are excluded from this directive. We would hope that after a review of the transposition in Member States' legislation and some practical experience, this instrument could be revised to be more broadly applied to all third country nationals. At the same time, we urge the Member States to ratify the International Convention on the Rights of all Migrant Workers and the Members of their Families.

The **right to family reunification** is a fundamental right. Thus it should be protected and supported. Moreover, family life is a very important element for the integration of migrants in European society. Equally important is the access to the labour market for spouses joining their partner in the EU. Limiting their access to the labour market severely hinders their integration into society and can even strengthen stereotypes in society about migrant workers and their families. Moreover it is a discrimination between married and unmarried migrants.

The fundamental **right to asylum and subsidiary protection**: The objective of all asylum policy and of other instruments for refugee protection should be to find durable solutions for refugees and other persons in need of international protection, in line with the international legal instruments. In order to enhance the integration of refugees, asylum applications should be processed within 6 months and the duration **of temporary protection status** should be limited to 2 years maximum; people under this status should be granted similar rights as refugees; after this period, they should be granted a permanent residence permit, including equal treatment citizens' rights should be granted. In this context we propose to include refugees and persons under subsidiary protection in the Long Term Residents' directive. Existing international law on the protection of refugees must be fully and correctly applied in a fair and efficient asylum procedure, in order to achieve high standards in a

¹ Council directives 2000/43/EC implementing the principle of equal treatment between persons irrespective of racial or ethnic origin and 2000/78/EC establishing a general framework for equal treatment in employment and occupation

² Council directive 2003/109/EC concerning the status of third-country nationals who are long term residents

common asylum system and, in particular, ensure a high level of protection for refugees and others in need of international protection in accordance with the rules of international law.

Our experience has shown that the integration process of refugees is influenced by the reception and living conditions and rights experienced during the asylum procedure. All asylum seekers should have **access to the labour market** after the shortest possible time.

The integration process in our societies is further put under pressure by restrictive labour market policies, which do not fully acknowledge the demand on the EU labour market for skilled as well as unskilled labour force. **Refugees** and persons granted a complementary protection status should be allowed to move in the EU without restrictions, in order to have an equal access to the EU wide labour market.

Regularisation schemes for irregular migrants should be seen as a means of improving both the individual situation of the irregular migrant and at the same time improving the level of integration in our societies. EU legislation should not **criminalise** migrants in irregular situations.

Our Proposals

Christian organisations have stated on several occasions that integration is a two-way process. Therefore proposals will have to tackle the challenge how to make **European society** more open, welcoming and inclusive. Whilst we recognise that the Commission in its analysis shares many of our views on integration, we would like to see these views more clearly translated into the proposals presented in the communication, as well as in the suggested instruments. We appreciate the visual presentation of possible actions in a national and an EU column, though it might have been good to add the **regional and local level** to the “national” column.

We urge the EU and its member states to deal with structural discrimination in order to combat segregation in society. We therefore strongly recommend that the anti-discrimination directives be fully implemented and enforced.

Ad 1 - Integration is a two-way process

At EU level, supported trans-national actions should not only aim at providing information about migrants’ cultures, but also knowledge and promotion of exchange between the different cultures present in a society. Integration policies should also address common integration needs for all target populations where possible, with additional specific policies or measures to address specific integration needs of particular groups of people. Migrants’ associations with their cultural specificities and competence should be fully acknowledged and be used. Too often these organisations limit themselves to safeguarding the culture and memories of the countries of origin, which is in itself a valuable goal, but not always helpful for integration. These same organisations could be instrumental in giving assistance to integrate into the receiving society. We further suggest cooperation with the media through projects aimed at promoting the diversity of our European societies.

Ad 2 - Respect for the basic values of the European Union

In order to reflect the reciprocity of the integration process, we strongly recommend programmes and projects at the national, regional and/or local levels to ensure that EU-citizens understand, respect and benefit from the European value of non-discrimination and gender equality.

Ad 3 - Employment a key part of the integration process

As we have already mentioned, labour market discrimination needs to be addressed on the legal level by providing access to the labour market for asylum seekers (national), refugees (EU-wide) and spouses of migrants in the framework of family reunification. We cautiously welcome the proposal to support capacity training in sectors employing many migrants. There is a danger however that policies and programmes in this field reinforce segregation of the labour market. We therefore strongly recommend to open up initiatives to all sectors, in order to promote the employment of migrants in sectors other than the “typical migrant” ones.

Ad 4 – Basic knowledge of the receiving society

Introduction programmes to acquire basic knowledge are useful, but not enough for people to feel fully welcome and accepted in a society. Training in intercultural competence, also targeting the population of the receiving country, is the key word here. Therefore Introduction programmes should include initiatives for the receiving society. The final goal must be to make people understand that in their diversity they all share many common interests.

Ad 5 – Education

We warmly welcome the proposal to facilitate the recognition of qualifications. We are concerned however about the proposal to “address migrant youth delinquency”. Youth delinquency is not a migrants’ problem, but a question of unequal chances. We would suggest rephrasing the proposal into “address migrant youth’s lack of perspectives”.

Ad 6 – Access to institutions, goods and services

The deadline for transposition of the Council Directive concerning the status of third-country nationals who are long-term residents - 2003/109/EC – is 23 January 2006. Our organisations request the Commission to grant particular attention to the transposition of this directive, which will have a positive impact on the current position of certain groups of migrants in a number of EU Member States. The transposition into national legislation by all Member States before the deadline would also be a strong political statement, showing that European governments are committed to creating a society through the integration of all its members.

All migrants, including undocumented, should have access to basic services such as health care and education, and assisting undocumented migrants for humanitarian reasons must not be criminalised.

Intercultural competence is a key tool to guaranteeing an equal access to institutions, goods and services for all. Awareness raising actions and trainings should be organised at all governmental levels and relevant institutions. Governments should guarantee the legal framework that vouches for the fulfillment of shared civil rights and responsibilities and provides laws against racism and discrimination. To achieve this, governments should act to promote international policies in the area of human rights and the right to development for all.

Governments should consider the development of intercultural competence as an investment for an effective social order and therefore ensure that it appears on the political agenda. To achieve this, governments should act:

- To identify intercultural competence as a political project;
- To promote measures and structures, and encourage (politically and financially) initiatives that contribute to the development of intercultural competence in societies (for example

exchange programmes between people of different cultural background over extended periods of time);

- To promote intercultural competence as a standard in education and in different areas of social life (politics, labour market, public service, media);
- As a particular aspect of this latter recommendation, intercultural competence should form part of the job profile of government officials. This refers particularly to educators and school personnel, local authorities, hospital staff, social workers and others.

Ad 7 – Frequent interaction between immigrants and Member State citizens

Encouraging a frequent interaction between the diverse groups in society is an extremely important tool for integrating societies. The interaction should be organised around common interests, be it the neighbourhood, school, home care, associations, sports clubs, adult education, voluntary work, security etc. This will show that citizens share common concerns, independent from the fact that they are a migrant or an EU citizen. The right to vote, to stand as a candidate and the possibility of achieving citizenship, are important tools to achieve this objective.

Integration is first and foremost related to local communities. In order to facilitate social inclusion and foster positive relations within societies, it is necessary to explore new solutions to the task of community integration. Efforts to help migrants to integrate with other groups in a society and to develop and maintain community cohesion require a sustained effort on the part of key organisations, governmental and non-governmental, to:

- Meet each other on a regular basis;
- Do joint work in multi-agency partnerships;
- Involve the community and its migrants;
- Make links with community stakeholders, such as leaders, teachers and volunteers, and build networks locally and regionally;
- Offer opportunities for common action;
- Identify funding sources to support projects by migrants and/or volunteers;
- Ensure accessibility by delivering culturally appropriate services.

To this end, we suggest that the competent authorities promote cultural programmes on immigrant cultures in the media, promote voluntary service for both young immigrants and nationals and support migrants' communities to develop cultural programmes in cooperation with nationals.

Ad 8 – The practice of diverse cultures and religions

Our organisations are committed to increasing their efforts to contribute to the inter religious dialogue with faith communities and with the Commission. The dialogue of life takes place merely through daily contact and it is important in developing and sustaining human relationships. In the dialogue of life a community-in-diversity is built up when people share the same economic, political and cultural situation, such a basic dialogue is essential for the promotion of common human and spiritual values in the process of building up a community of justice, solidarity and peace. The role of faith in a secular society is an important and on-going debate. Within Europe, it is important to have an understanding of different cultures and to respect each other's traditions and values.

- Government officials at every level dealing with migrants should be sensitive to religious diversity. While working with migrants, they should have easy and immediate access to specialised advisors who can help them to correctly interpret the religious backgrounds, motives and considerations of those with whom they are in contact in the line of their work;
- The knowledge about the diversity of religions should be part of all curricula in primary, secondary and tertiary education. Additionally, this knowledge should be emphasised and further strengthened in any professional training provided by a national, regional or local government to its staff who in the line of their work will interact with people from religious backgrounds different from their own. This should also apply to other sectors of society such as business, trade unions etc. since recognition of faith identity in the workplace is essential. In a practical sense, this should result in allowing others to live their faith with integrity in terms of prayer, nutrition and dress;
- Governments should provide for legislation banning all forms of religious discrimination while preserving the European values such as equal treatment between men and women.

Ad 9 – the participation of migrants in the democratic process

We welcome the Commission's proposal to create a migrants' platform. We also welcome the proposal to encourage the opening-up of mainstream organisations to migrants. Indeed, organisations should reflect the diversity of society in its membership and staff. Our organisations, which apply the principle in practice, face quite some legal challenges. There are in the first place considerable restrictions to the employment of third country nationals. And once they're employed, they face visa restrictions when they want to attend EU wide events. Our staff members, be they migrants or recognised refugees, regularly cannot participate in EU events such as conferences because of visa restrictions.

Next to gender balanced representation, it is of major importance to take into account an age balanced representation, as in a number of EU Member States migrants' populations have a different age structure with a larger proportion of younger people.

Facilitating migrants' participation into mainstream organisations should also be translated in employment at all levels of the organisations. Along the same lines, migrants should have the right to vote and to stand as a candidate in worker's representation elections, as is the case in some EU Member States.

The suggested instruments

- 1) The **National contact points on Integration** and their networks should be reinforced in order to be able to play a leading role in the integration debate: e.g. through the organisation of a permanent consultation with all stakeholders: migrants and migrants' associations, local, regional and national authorities, NGOs, trade unions, educational institutions etc. All should be invited and committed to contributing to the national annual reports on integration. The purpose and value of such consultations and the role of the NCPIs in that process should be promoted.
- 2) The **Handbook on Integration** is a useful tool to translate the CBPI into practice by providing examples of good practice. Our organisations encourage the Commission to edit regular updates of the handbook, but also to organise seminars to enhance the involvement of faith based communities and NGOs.

- 3) The **Integration website** is a useful suggestion but needs to be reflected on more thoroughly. It should become a working instrument, a virtual forum where stakeholders can easily find information, documentation and project partners. It should include links to national, regional and local governmental and non-governmental institutions and organisations developing projects promoting integration.
- 4) The **Integration forum** should be organised at the EU level, supported by national or even regional fora. As we mentioned above, we see an important role for the NCPI as promoter of these fora.
- 5) The **Migrants' platform**: rather than creating a separate platform we would encourage the active involvement of migrants' organisations in the other suggested instruments, especially in the European and national/regional integration fora.

Brussels, April 2006