



European Economic and Social Committee

SOC/362
Integration and the Social
Agenda

Brussels, 17 February 2010

OPINION

of the
European Economic and Social Committee
on
Integration and the Social Agenda
(own-initiative opinion)

Rapporteur: **Luis Miguel Pariza Castaños**
Co-rapporteur: **Pedro Almeida Freire**

On 14 July 2009 the European Economic and Social Committee, acting under Rule 29(2) of its Rules of Procedure, decided to draw up an own-initiative opinion on

Integration and the Social Agenda

The Section for Employment, Social Affairs and Citizenship, which was responsible for preparing the Committee's work on the subject, adopted its opinion on 26 January 2010.

At its 460th plenary session, held on 17 and 18 February 2010 (meeting of 17 February), the European Economic and Social Committee adopted the following opinion by 158 votes to three with three abstentions.

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1. Conclusions and proposals

- 1.1 As an institution that is strongly committed to promoting and developing the Social Policy Agenda and fostering the integration of migrants and ethnic minorities, the European Economic and Social Committee has decided to draw up this own-initiative opinion in order that **the EU may strengthen the links between its integration policies and the Social Policy Agenda.**
- 1.2 2010 will be a very important year for social policy in the EU: it will be the European Year of Combating Exclusion and Poverty, the EU 2020 Strategy will be drawn up, and a new Social Agenda will be adopted.
- 1.3 The EESC believes that the 2010 review of the Social Agenda should take greater account of the social effects of immigration.
- 1.4 As immigration/integration and the social agenda fall within the remit of different Commissioners and different Directorates-General, the EESC proposes that political and administrative cooperation within the European Commission be improved.
- 1.5 Integration policies must be linked to the main objectives of EU social policy; thus, all people – including third-country nationals, EU citizens from immigrant backgrounds and minorities – will be able to benefit from them. Moreover, the fight against social exclusion should be geared towards all people, including immigrants, whether they be EU citizens or third-country nationals.
- 1.6 The EESC considers it a priority to strengthen integration at European level, taking account of the economic crisis, the situation of immigrants and minorities in terms of employment, social

inclusion, gender equality, poverty, education and training, healthcare, social protection and the fight against discrimination.

- 1.7 The approach of diversity through immigration should be included across the board when specific policies and measures are drawn up and implemented, in tandem with the development of specific policies and initiatives for the integration of immigrants and ethnic minorities.
- 1.8 Consequently, taking into account the experience gained from other policies, the **Committee proposes that a process of mainstreaming integration** be provided for in the EU's different political, legislative and financial instruments, in order to promote integration, equal treatment and non-discrimination.

2. **Presentation**

- 2.1 The European Union is taking on a common immigration policy, to which the Committee is contributing through its opinions, highlighting the importance of integration as "the key to successful immigration". It recognises the need for European societies to improve their ability to manage the diversity inherent in immigration in order to increase social cohesion.
- 2.2 In the last ten years, immigrants have made a significant contribution to Europe's economic and social development¹. Many men and women from countries outside the EU have entered European labour markets, helping to boost the economy, employment, social security contributions and tax revenues.
- 2.3 The EESC has proposed the concept of "civic integration" which is based on "bringing immigrants' rights and duties, as well as access to goods, services and means of civic participation progressively into line with those of the rest of the population, under conditions of equal opportunities and treatment"².
- 2.4 2010 will see the renewal of the Lisbon Strategy with the EU 2020 Strategy, and the Social Agenda, and the review of the Integration Fund; the EU also has the Lisbon Treaty and the Charter of Fundamental Rights, a new Commission³ will have been convened, and the Parliament will be in the first half of its new term.

1 COM(2008) 758 final.

2 OJ C 125, 27.5.2002.

3 Issues relating to integration and those relating to the Social Agenda fall within the remit of different Commissioners and different Directorates-General.

- 2.5 2010 will also be the European Year for Combating Poverty and Social Exclusion, which will provide an opportunity to renew our commitment to solidarity, social justice and greater inclusion.
- 2.6 Integration policies must be linked to the main EU social policy objectives. The EESC therefore proposes that political and administrative cooperation within the European Commission be improved.
- 2.7 With the economic crisis, many immigrants are finding themselves among the most vulnerable social groups, and are becoming the first victims: they are the first to be laid off, have greater difficulties rejoining the labour market, and run the risk of falling below the poverty line, particularly if they are female⁴.
- 2.8 Often, the children of immigrants are also more likely to drop out of school.
- 2.9 The EESC believes that efforts to combat discrimination must be stepped up by implementing existing legislative instruments and strengthening public policies and social commitments to integration.
- 2.10 Alongside the economic crisis, in the political and social debate in some Member States, increasingly vehement verbal attacks are being made on the rights of immigrants, which is leading to tougher legislation and heightened xenophobia.
- 2.11 Some governments are also cutting the public resources earmarked for integration policies even though, in times of crisis, investment in social policy should be increased rather than decreased.
- 2.12 The EESC believes that an adequate integration policy is a factor for economic efficiency and social cohesion, as part of an appropriate common immigration policy.
- 2.13 Integration policies vary greatly throughout Europe, owing to the differences between social and political norms and legal systems. However, the objectives of integration are linked to social policies in every Member State.
- 2.14 In the EU, immigrants join the population at different rates. At present, migration processes are lower in the new Member States in central and eastern Europe, and greater in southern and western Member States. Experience shows, however, that in the future all European countries will experience high levels of immigration.

⁴ Eurostat.

2.15 The Committee wishes to stress that the links between immigration and development must be strengthened within the framework of a comprehensive European immigration policy. The EESC has drawn up two opinions based on this approach⁵.

3. **Integration**

3.1 The social integration process takes place in various areas of people's lives: family, neighbourhood and city, workplace, trade union, business organisation, school, training centre, association, place of worship, sports club, the armed forces, etc.

3.2 As integration is a social process that occurs within social structures, good governance is required to ensure that this social process is accompanied by appropriate policies on the part of the public authorities. In keeping with the powers they have in the various Member States, local and regional authorities possess political, legislative and budgetary instruments that they must put to good use in integration policies.

3.3 Common Basic Principle 10 (Appendix 1) proposes that integration form part of all policy portfolios at all levels of government (mainstreaming).

3.4 The EESC has drawn up a number of own-initiative opinions⁶ calling for proactive integration policies in the EU, with a two-way focus, targeting both the host societies and immigrants, the purpose being to achieve a society in which all citizens, regardless of where they come from, have the same rights and obligations, and share the values of a democratic, open and pluralist society.

3.5 The EESC believes that civil society organisations can play a crucial role in integration. Both immigrants and host societies must show that they are willing to embrace integration. The social partners and civil society organisations must be committed to the implementation of integration policies and anti-discrimination measures.

3.6 Integration is a social process which involves immigrants and the host society alike. All the different public administrations and social players must demonstrate commitment to this

⁵ See the following EESC opinions:

OJ C 44, 16.2.2008, p. 91.

OJ C 120, 16.5.2008, p.82.

⁶ See the following EESC opinions:

OJ C 27, 3.2.2009, p. 95.

OJ C 125, 27.5.2002, p. 112.

OJ C 80, 30.3.2004, p. 92.

OJ C 318, 23.12.2006, p. 128.

process. European, national, regional and local authorities should draw up programmes reflecting the scope of their respective powers. In order to guarantee the efficacy and overall consistency of the programmes and actions, they must be properly supported and coordinated.

- 3.7 In another opinion,⁷ the EESC proposed that the local authorities demonstrate greater commitment, because integration presents a challenge primarily at the local and regional level. These policies will enjoy greater success if they involve local and regional authorities and if civil society organisations are actively engaged in them.
- 3.8 Integration is a two-way process founded on the rights and obligations of third-country nationals and the host society, enabling immigrants to participate fully. In another opinion, the EESC defined integration as "*bringing immigrants' rights and duties, as well as access to goods, services and means of civic participation progressively into line with those of the rest of the population, under conditions of equal opportunities and treatment*"⁸.
- 3.9 The Committee considers that immigrants should adopt a positive attitude towards integration and that the two-way approach demonstrates that integration affects not only immigrants but also the host society.
- 3.10 Integration and social inclusion policies should focus on various areas: initial arrival, language teaching, laws and customs, combating discrimination, employment and training policies, gender equality, education for minors, family policy, youth policy, housing, healthcare, addressing poverty, extending social services, and making it easier for people from immigrant backgrounds to become active citizens.
- 3.11 These policies should help people of an immigrant background to live harmoniously in European host societies, which are becoming increasingly diverse in ethnic and cultural terms.
- 3.12 In 2002, at a conference⁹ organised in conjunction with the Commission, the EESC proposed that the EU institutions draw up a European programme for integration and set up a Community fund. The Commission launched a pilot programme in the field of integration (INTI), and in 2006 proposed setting up the Integration Fund, which was approved by the Council and is now included in the 2007-2013 budget.
- 3.13 In November 2004, the Council drew up a number of Common Basic Principles for immigrant integration policy in the European Union¹⁰. These principles complement the

⁷ OJ C 318, 23.12.2006, p. 128.

⁸ OJ C 125, 27.5.2002, point 1.4 (rapporteur: Mr Pariza Castaños).

⁹ Conference on *The role of civil society in promoting integration*, Brussels, 9 and 10 September 2002.

¹⁰ Document 14615/04 of 19 November 2004.

legislative frameworks on human rights, non-discrimination and equal opportunities, and social inclusion.

- 3.14 The EESC wishes to stress the importance of a **common European approach**, as it brings substantial added value to integration policies and processes by ensuring a cross-cutting relationship with other EU policies such as the EU 2020 Strategy, the Social Agenda and cohesion policy. Such an approach will also strengthen the links between integration and the values and principles of the EU as set down in the European Charter of Fundamental Rights and the European Convention of Human Rights.
- 3.15 The Integration Fund is a financial instrument intended to boost the development of integration policies with European focus and added value, reflecting the common basic principles. Integration policies are based on Article 63 of the Treaty, and are aimed at third-country nationals, while the ESF is aimed at the entire EU population, including immigrants. The Integration Fund thus complements the ESF.
- 3.16 The EESC supports the six political objectives¹¹ of the Integration Fund, and hopes to be privy to the mid-term review of the fund in 2010, in order to propose certain changes.
- 3.17 The **European Integration Forum** has recently been set up to enable civil society and immigrants' organisations to participate in EU integration policies. The Committee is very much involved in the forum's activities.
- 3.18 In its conclusions on integration of June 2007, the European Council felt that it was necessary to move forward with the 2005 Common Integration Agenda, and developed the common basic principles.
- 3.19 The EESC wishes to build on this approach, and considers it a priority to strengthen integration at European level, taking account of the situation of immigrants and minorities in terms of employment, social inclusion, gender equality, poverty, education and training, healthcare, social protection and the fight against discrimination.

4. **The Social Policy Agenda**

- 4.1 The international financial situation has led to a serious economic crisis in the EU, which is causing the social situation to deteriorate significantly. The crisis is having a highly detrimental effect on integration.

¹¹ Appendix 2.

- 4.2 Due to the time at which it was drawn up, the Renewed Social Agenda¹² (2008) does not take into account the negative effects of the economic crisis, increased unemployment and the decline in public finances and the social situation.
- 4.3 The European Commission predicts that economic recovery will be slow and that it will take longer for new jobs to be created.
- 4.4 The EESC considers that social recovery will, in any event, take much longer than economic recovery. In this context, the role of the European social policy will be key.
- 4.5 2010 will be a very important year for social policy in the EU: it will be the European Year of Combating Exclusion and Poverty, the EU 2020 Strategy will be drawn up, and a new Social Agenda will be adopted, with the necessary measures and instruments.
- 4.6 The Renewed Social Agenda (2008), which acknowledges the important contribution of immigration to employment in Europe, proposes that integration be improved and social policies be implemented in the fields of education, healthcare and housing.
- 4.7 In its January 2009 opinion¹³ on the Renewed Social Agenda, the EESC recognised the success of this new approach and considered the problems caused by the increase in migratory flows and the inadequacy of social policies, highlighting the need to analyse these further.
- 4.8 The French presidency of the EU asked the Committee to draw up an exploratory opinion¹⁴ on A new European Social Action Programme, which was adopted in July 2008. The EESC believes that the new social action programme should be useful in tackling the difficult economic and social situation. The Committee has proposed that the new programme take into account integration policies, equal treatment, the development of the open method of coordination, and the increase of resources earmarked for the Integration Fund.
- 4.9 On 6 May 2009, the Parliament adopted a resolution¹⁵ on the Social Agenda, in which it stated that immigration policy should be based on human rights, strengthen anti-discrimination laws and promote a strategy for integration and equal opportunities.
- 4.10 Individuals who do not have the right papers ("illegal immigrants") are extremely vulnerable, are open to abuse by exploitative labour networks, to poverty and extreme social exclusion.

12 COM(2008) 412 final.

13 OJ C 182, 4.8.2009, p. 65.

14 OJ C 27, 3.2.2009, p. 99.

15 2008/2330 (INI).

The Committee therefore proposed, that under the European Pact on Immigration and Asylum, these individuals could be given legal papers, for the sake of social harmony and employment. The EESC also considers that the EU's social policies should not exclude "illegal immigrants" from the goals and programmes for social inclusion and from the ESF.

- 4.11 The coming years will see an increase in the internal mobility of European citizens and immigration to Europe by many third-country nationals. These processes will increase the EU's national, ethnic, religious and cultural diversity.
- 4.12 Nevertheless the current Renewed Social Agenda only takes into account to a limited degree the diversity of European societies, the integration of immigrants and minorities, equal treatment and the fight against discrimination. The EESC believes that the review of the Social Agenda in 2010 should take greater account of the social effects of immigration on both immigrants and the host society.
- 4.13 Consequently, the links between the Social Agenda and integration should be strengthened, and the EESC therefore proposes that integration should be promoted by mainstreaming it into the EU's different political, legislative and financial instruments.

5. **Political scope**

5.1 **Children and young people**

- 5.1.1 Youth policies should consider the needs and circumstances of young immigrants in their transition to adult life and their social integration.
- 5.1.2 Many young people – sons and daughters of immigrants, achieve professional success and become very active members of their community, but many, even second and third generation immigrant children – are also at a high risk of or are experiencing social exclusion, with high levels of academic failure and thus a higher risk of unemployment.
- 5.1.3 **Support for families** is fundamental; as proposed by the Committee¹⁶, the EU should have a more active family policy.
- 5.1.4 The open method of coordination in matters relating to young people should include indicators for diversity, immigration and non-discrimination.
- 5.1.5 It is important to make the most of the opportunities offered by the European programmes for lifelong learning, mobility, entrepreneurship and citizenship among young people, in order to overcome the specific obstacles that young immigrants face, and foster the exchange of experiences.

¹⁶ OJ C 161, 13.7.2007, p. 66 and OJ C 120, 16.5.2008, p. 66.

5.2 Education and training

- 5.2.1 Member States' integration policies include education and training as key elements in the process. However, young immigrants and minorities face specific obstacles and challenges which require particular attention.
- 5.2.2 Schools are often overwhelmed by problems and challenges they are ill-equipped to deal with. Schools should be given additional resources, the spirit of openness should be further developed and support in intercultural training and managing diversity given to teachers.
- 5.2.3 Education quality indicators should be developed, and should be flexible enough to meet the needs of an increasingly diverse student body.
- 5.2.4 The framework provided by the open method of coordination for education should serve to identify good practices in response to academic failure among young people of an immigrant background.
- 5.2.5 This will mean defining **indicators** such as: socio-economic status; completion of studies (compulsory schooling) by young people; the diversity and intercultural skills of teaching staff; the education system's capacity to allow social mobility; the concentration of pupils from an immigrant background; the promotion of multilingualism in the education system; and how open education systems are for all children and young people, etc.
- 5.2.6 In its opinion on *Migration, mobility and integration*¹⁷, the EESC stressed that the disadvantages facing people from a migrant background carry over into adult education too: they participate less in continuous training and the courses they are offered usually concentrate on the acquisition of language skills. To improve integration, the scope of continuous training should be extended to the entire population, with particular focus on equal access for people from immigrant backgrounds.
- 5.2.7 Education and training programmes in Europe should include schemes that teach the customs, history, values and principles of European democracies, as well as knowledge of the culture and values of the societies of origin of the immigrant population (where numbers allow).

¹⁷ OJ C 218, 11.9.2009, p. 85.

5.3 Employment

- 5.3.1 The EESC is currently drawing up an exploratory opinion¹⁸ at the request of the Spanish presidency on the "**Integration of immigrant workers**", which also contains proposals for the European Social Agenda.
- 5.3.2 **Access to the labour market** is key, and is an essential part of the integration process, because decent jobs are vital to immigrants' self-sufficiency, and they facilitate social relations and mutual understanding between the host society and immigrants.
- 5.3.3 However, immigrant workers often find themselves at a disadvantage and suffer direct or indirect discrimination. They also face legal difficulties in getting their qualifications recognised, while some immigration laws restrict career development and changes of activity.
- 5.3.4 As a result, immigrant workers often have poor-quality jobs, with lower pay and under precarious conditions. Women, in particular, find themselves in this difficult situation.
- 5.3.5 Those without identification papers, whose situation is not legally recognised, face the most precarious conditions: they work in the informal economy and may find themselves exploited.
- 5.3.6 The new generation of employment policies, along with the initiatives of the European Social Fund and the Progress programme, should include specific criteria and indicators for improving immigrants' access to socio-occupational pathways to integration, including self-employment. These pathways could include (in addition to learning the language and culture) measures to boost immigrants' training in new technologies and the prevention of occupational risks.
- 5.3.7 The EESC believes that legislation and public policies must complement one another through cooperation with the **social partners**, because integration into the labour market is also an issue of society's attitudes and of commitment on the part of unions and employers.
- 5.3.8 Immigrant workers are more willing to **relocate**, but national legislation prevents and restricts such mobility. The Directive on the status of third-country nationals who are long-term residents¹⁹ (which has been poorly transposed in some national legislation) could facilitate mobility. The **EURES** network could also be used more effectively to boost the mobility of immigrant workers in the EU.

18 EESC exploratory opinion on the *Integration of immigrant workers* (SOC/364).

19 Directive 2003/109/EC.

5.4 **Entrepreneurship among immigrants**

- 5.4.1 Many migrants decide to be self-employed or start up their own business. The number of businesses started up by people of immigrant background is constantly increasing.
- 5.4.2 The EESC considers that the EU should support migrants' entrepreneurship and ESF instruments to promote entrepreneurship should consequently take the immigrant population into account.
- 5.4.3 Employers' organisations and chambers of commerce should also open their doors to entrepreneurs from immigrant backgrounds and actively promote their access to management positions.
- 5.4.4 Many business initiatives by immigrants are furthermore developed within the **social economy**, and so the Committee considers that they should be supported by the ESF instruments and the national authorities.

5.5 **Social protection**

- 5.5.1 A number of different national pension systems operate in Europe. It must be ensured that immigrant workers pay into pension systems and are entitled to receive the corresponding benefits without discrimination.
- 5.5.2 The portability of pensions should be guaranteed, in order to improve mobility, and to ensure that in returns procedures, the corresponding pension rights are respected.
- 5.5.3 The open method of coordination should include indicators to assess whether immigrant workers are covered by pension systems without exclusions or discrimination.

5.6 **Housing**

- 5.6.1 The economic crisis has in many cities led to an increase in the number of homeless people, many of whom are of an immigrant background.
- 5.6.2 Many people, especially young people, are now finding it hard to access housing.
- 5.6.3 Immigrants and minorities also have many specific difficulties in accessing decent housing. As a result, the EESC considers that Member States' *housing policy* should form a part of policies on integration, combating poverty and social exclusion.

5.6.4 Most Europeans, including immigrants and minorities, live in urban environments. In another opinion²⁰, the EESC highlighted the role of local and regional authorities in integration policies. A good *urban policy* can encourage integration and prevent the rundown urban ghettos which form in some cities.

5.6.5 Housing policies should therefore include criteria, measures and indicators to remove existing obstacles. A proactive approach is required, involving all layers of society together with the public authorities and social partners.

5.7 **Healthcare and other services**

5.7.1 In some Member States, national legislation leaves many immigrants without access to healthcare systems and thus severely unprotected.

5.7.2 The system of coordination in the field of healthcare and European legislation on immigration must guarantee the immigrant population access to public health services and high-quality healthcare under equal conditions. Healthcare systems must therefore be brought into line with social diversity.

5.7.3 The Committee wishes to emphasise that in some Member States, many healthcare professionals and carers are immigrants.

5.7.4 Efforts should also be stepped up in the field of occupational health, because immigrant workers are often exposed to greater risks and are not familiar with laws and prevention programmes.

5.7.5 In some Member States, people from immigrant backgrounds do not have full access to **social services**, and these services are not set up to deal with the diversity of populations. The Committee proposes that the Commission assess the quality of public services from the viewpoint of integration, diversity and non-discrimination.

5.7.6 In the EESC's view, immigrants should not be discriminated against in healthcare and social policies, because they pay taxes and social security contributions, just as the rest of the population does. Given the current economic crisis and budgetary problems, it must be ensured that everyone pays their taxes and social security contributions, to guarantee sustainable public services.

5.8 **Poverty and social exclusion**

5.8.1 Many people from an immigrant background live in poverty or are at risk of falling into poverty. The current economic crisis, growing unemployment and under-employment are

²⁰ OJ C 318, 23.12.2006, p. 128.

exacerbating these situations. People from an immigrant background and minorities must be able to access retraining programmes, unemployment protection, housing and other public social services.

5.8.2 In 2010, the EU will celebrate the European Year of Combating Exclusion and Poverty. The Committee believes that **active inclusion** targeting immigrants and minorities should be improved, in order to guarantee the minimum wage, boost access to public services and resources, and to the labour market.

5.8.3 The EESC calls attention to the actions of some criminal networks that exploit illegal immigrants, (particularly in the areas of trafficking and prostitution of women and minors). Along with the legal and policing measures to fight these gangs, there should be policies to assist and protect victims.

5.9 **Combating discrimination**

5.9.1 The European Parliament²¹ recently adopted a resolution on the new Directive against discrimination, which complements the three directives²² already in place. The EESC also delivered an opinion²³ endorsing the Commission proposal and recommending that multiple discrimination be taken into account.

5.9.2 The new directive implementing Article 19 of the Treaty on the Functioning of the European Union will, once adopted, extend the principle of non-discrimination to areas such as education, health, social protection and housing. The EESC calls on the Council to adopt this directive, taking account of the Committee opinion.

5.9.3 People from an immigrant background, whether women, men, old or young, often face situations of discrimination, which are made worse by the fact that these individuals' legal status as third-country nationals offers them less legal protection. Many people suffer multiple discrimination.

5.9.4 The EESC proposes that the European Commission draw up an action plan to combat multiple discrimination and offers its services to assist with this task.

²¹ European Parliament Resolution of 2 April 2009 on the Proposal for a Council Directive on Implementing the principle of equal treatment between persons irrespective of religion or belief, disability, age or sexual orientation.

²² Directive 2000/43/EC; Directive 2004/113/EC; Directive 2000/78/EC.

²³ OJ C 182 of 4.8.2009, p. 19 and OJ C 77 of 31.3.2009, p. 102.

5.9.5 The European Union Agency of Fundamental Rights²⁴ should continue to draw up reports on the direct or indirect discrimination suffered by many immigrants.

5.10 **Gender equality**

5.10.1 Women of immigrant background face specific problems due to the fact that they are women, and integration policies therefore need to adopt the appropriate gender perspective.

5.10.2 The EESC considers that the Common Basic Principles for integration and the Social Agenda must reinforce the gender-based approach, to ensure that migrant women and women from ethnic minorities enjoy equal opportunities and do not face discrimination.

5.11 **Immigration and development**

5.11.1 In other opinions, the EESC has proposed²⁵ that immigration policy could contribute to the economic and social development of the countries of origin, and that the EU should consequently make immigration legislation more flexible.

5.11.2 In its foreign policy, the EU should, within the United Nations, promote an international legislative framework for migration and sign the convention²⁶ currently in force.

6. **Instruments of the Renewed Social Agenda**

6.1 **Mainstreaming**

6.1.1 Mainstreaming integration will involve (re)organising, developing and assessing political processes, so that integration, equal opportunities and treatment and non-discrimination against immigrants could be included in all the objectives, actions and instruments of the Social Agenda, at all levels and stages, by all those involved in its adoption.

6.1.2 Because cultural models differ across the European Union, mainstreaming should ensure, in a global framework, that people's experiences, skills, interests and needs are included, in an approach based on integration and diversity, in all initiatives of any type and social range, and that actions are assessed.

6.1.3 The first step in the process should be to conduct an impact assessment in order to anticipate requirements and ensure that social diversity is properly taken into account in all the areas

²⁴ The EU-MIDIS ('European Union Minorities and Discrimination') Survey asks 23 000 members of immigrant and ethnic minority groups about their experiences of discrimination, racially-motivated crime and policing in the EU.

²⁵ OJ C 44, 16.2.2008, p. 91.

²⁶ UN Convention on the protection of the rights of migrant workers.

concerned. This will mean speeding up the process to define integration indicators, complementing those covered by the open method of coordination for social inclusion. The European Integration Forum could take part in drawing up these indicators.

- 6.1.4 For this mainstreaming to be successfully implemented, political leadership and the involvement of all public and private stakeholders are key. To this end, a framework for cooperation must be designed, through which decision-making processes can be developed with a view to achieving change.

6.2 **Legislation**

- 6.2.1 The Committee considers that the quality of common European legislation on immigration should be improved and that the directives should afford immigrants adequate protection. With this aim in mind, the EESC has drawn up an own-initiative opinion²⁷, which proposes that EU immigration policies and legislation fully respect human rights.

- 6.2.2 After the adoption of the Stockholm Programme, the EESC believes that it will be easier to progress with harmonising legislation on immigration and asylum.

- 6.2.3 The new anti-discrimination legislation now being drawn up on the basis of Article 13 of the Treaty should be taken into account when European immigration legislation is drafted.

6.3 **Social dialogue**

- 6.3.1 The social partners have a responsibility to promote, through dialogue and negotiation, equal treatment in companies. The EESC and the Dublin Foundation held a hearing as part of the opinion-drafting process²⁸. The conclusions of that hearing, set out in Appendix 3 below, could prove extremely useful to the social partners and the Commission, so that integration into the labour market takes place on a level playing field, without discrimination between workers from the host country and immigrants.

- 6.3.2 Social dialogue in different areas can promote the active inclusion of workers from immigrant backgrounds and minorities. Where business is concerned, it is easier to ensure the active participation of workers of an immigrant background.

- 6.3.3 Europe's social partners should be properly consulted and their opinion should be taken into account when the new Social Agenda is drawn up.

²⁷ EESC opinion of 4 November 2009 on Fundamental rights in European immigration legislation (SOC/335).

²⁸ OJ C 318, 23.12.2006, p. 128.

6.3.4 The Spanish presidency of the EU has requested that the EESC draw up an exploratory opinion²⁹ on the *Integration of immigrant workers*. In it, the EESC proposes a number of initiatives to improve integration in terms of employment.

6.4 **Civil dialogue**

6.4.1 Together with social dialogue, civil dialogue is an excellent governance procedure that forms part of the European social model and, in the EESC's opinion, is an essential instrument for the implementation of the European Social Agenda and for integration.

6.4.2 At the European level, in integration policy and in the Social Agenda, there is a need to further involve civil society organisations specialising in human rights and in assisting immigrants and minorities.

6.4.3 The European Integration Forum should be consulted and should play an active role in drawing up the EU's new Social Agenda.

6.4.4 The European Union should continue to promote intercultural dialogue, which goes hand in hand with integration and the social policy objectives.

6.5 **The open method of coordination**

6.5.1 As recommended by the European Commission and the EESC, an open method of coordination should be established in the field of immigration policy.

6.5.2 The Council has decided to improve the current form of coordination and give the Commission a more substantial role. The EESC supports this decision, but believes it should be more ambitious.

6.5.3 This method of coordination should provide specific qualitative and quantitative indicators, which could be drawn up in collaboration with the EESC and the European Integration Forum.

6.5.4 The different open methods of coordination that exist in the field of social policy should improve the goals and indicators for integration in policies for employment, social protection, healthcare, combating poverty and social exclusion, etc.

6.6 **Funding**

6.6.1 In the Committee's view, the synergies and complementarity between the Social Fund and the Integration Fund should be further developed.

²⁹ EESC exploratory opinion on the *Integration of immigrant workers* (SOC/364), rapporteur: Mr Pariza Castaños.

6.6.2 *The European Social Fund* is aimed at those facing particular difficulties in finding work, such as women, young people and older workers. It helps businesses and workers to adapt to the changes brought about by new technologies and the ageing of society. The ESF should incorporate the approach of diversity through immigration more fully into its goals and programmes both in the current programming period (2007/2013) and in future.

6.6.3 After 2013, the *Integration Fund's* financial resources will also need to be increased and the Commission given greater management powers.

6.6.4 The *Progress* programme, which aims to provide financial support in order to meet the EU's objectives in the field of employment and social affairs, should also strengthen integration and diversity among its five main areas for action (employment, social protection and integration, working conditions, non-discrimination and diversity and gender equality).

7. **More inclusive European citizenship**

7.1 Europe's democracies are open, free societies that should be based on the inclusion of all people. Integration policies and immigration legislation should never be used as political excuses for excluding immigrants and minorities from the right to citizenship.

7.2 The EESC believes that the foundation of our democracies should be broadened to include new citizens with equal rights and obligations. National and European citizenship rights should include diversity in all its forms, without discrimination.

7.3 The EESC reiterates the proposal made in another opinion³⁰ whereby Union citizenship should be granted to third country nationals with long-term resident status. The Committee proposes that the Commission, the European Parliament and the Council take this proposal into account in their objectives for the new term of office.

7.4 The European Commission should adopt a new initiative to promote civic-mindedness amongst third-country nationals and encourage them to participate in social and political life.

8. **The new European Commission**

8.1 With a view to achieving integration, the EESC believes that, in the new Commission, it is not appropriate for immigration issues to be covered by the same department as security, when there is a separate portfolio for justice and fundamental rights.

³⁰ Own-initiative opinion, OJ C 208, 3.9.2003.

- 8.2 Linking immigration to security sends a negative message to European society and to immigrants, which is at odds with the first of the basic common principles for integration – its two-way focus. There are too many messages in Europe that make immigration a crime!
- 8.3 The Committee believes that a more integration-friendly message would be conveyed by placing immigration and asylum under the portfolio of justice and fundamental rights.
- 8.4 In this context, it is particularly necessary to step up the mainstreaming of integration in the Social Agenda and other Community policies, especially when it comes to defending and protecting immigrants' fundamental rights.

Brussels, 17 February 2010.

The President
of the
European Economic and Social Committee

Mario Sepi

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N.B.: Appendices overleaf.

APPENDIX 1

The common basic principles

1. "Integration is a dynamic, two-way process of mutual accommodation by all immigrants and residents of Member States".
2. "Integration implies respect for the basic values of the European Union".
3. "Employment is a key part of the integration process and is central to the participation of immigrants, to the contributions immigrants make to the host society, and to making such contributions visible".
4. "Basic knowledge of the host society's language, history and institutions is indispensable to integration; enabling immigrants to acquire this basic knowledge is essential to successful integration".
5. "Efforts in education are critical to preparing immigrants, and particularly their descendants, to be more successful and more active participants in society".
6. "Access for immigrants to institutions, as well as to public and private goods and services, on a basis equal to national citizens and in a non-discriminatory way is a critical foundation for better integration".
7. "Frequent interaction between immigrants and Member State citizens is a fundamental mechanism for integration. Shared forums, intercultural dialogue, education about immigrants and immigrant cultures, and stimulating living conditions in urban environments enhance the interactions between immigrants and Member State citizens".
8. "The practice of diverse cultures and religions is guaranteed under the Charter of Fundamental Rights and must be safeguarded, unless practices conflict with other inviolable European rights or with national law".
9. "The participation of immigrants in the democratic process and in the formulation of integration policies and measures, especially at the local level, supports their integration".
10. "Mainstreaming integration policies and measures in all relevant policy portfolios and levels of government and public services is an important consideration in public policy formation and implementation".

11. "Developing clear goals, indicators and evaluation mechanisms are necessary to adjust policy, evaluate progress on integration and to make the exchange of information more effective".

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APPENDIX 2

In accordance with the common basic principles, the six main policy objectives to which the Fund shall contribute are:

1. facilitating the organisation and implementation of admission procedures for migrants, by strengthening their integration component and anticipating the needs of third-country nationals;
2. contributing to the organisation and implementation of introduction programmes and activities for third country nationals, by way of capacity building, policy development and implementation (common basic principle No 4);
3. increasing civic, cultural and political participation of third country nationals in the host society, in order to promote their active citizenship and recognition of fundamental values (common basic principle No 7);
4. strengthening the capacity of Member States' public and private service providers to interact with third country nationals and their organisations and to answer in a better way the needs of different groups of third country nationals;
5. strengthening the ability of the host society to adjust to increasing diversity by targeting integration actions at the host population;
6. increasing the capacity of Member States to develop, monitor and evaluate integration policies.

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APPENDIX 3

1. **New challenges for employment integration** (some of the conclusions of the Dublin hearing)
 - 1.1 Through their work, immigrants make a positive contribution to Europe's economic development and social well-being. The EESC considers that immigration in Europe can provide new opportunities for businesses' competitiveness, for working conditions and for social welfare.
 - 1.2 Employment is a key part of the integration process, because decent jobs are vital to immigrants' self-sufficiency, and they enhance social relations and mutual understanding with the host society. The EESC proposes that integration into the labour market should take place on a level playing field, without discrimination between workers from the host country and immigrants, taking the necessary professional requirements into account.
 - 1.3 Europe's migrant workers must be treated fairly, because they are protected by international human rights conventions and the principles and laws enshrined in the ILO conventions. The EESC reiterates its proposal that EU Member States sign up to the UN's 1990 International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families.
 - 1.4 The EU directives on equal treatment in employment and equal treatment irrespective of racial or ethnic origin are essential legal instruments in shaping legislation and practice in the Member States in combating discrimination and fostering employment integration.
 - 1.5 In the field of employment, legislation and public policies must complement one another through cooperation with the social partners, because integration into the labour market is also an issue of society's attitudes and of commitment on the part of unions and employers.
 - 1.6 Public employment services must boost programmes to help immigrants find work and these programmes might include: helping with the recognition of professional qualifications, improving language learning and occupational training, and providing adequate information on employment systems in the host country.
 - 1.7 At grass-roots level, unions, employers' organisations, immigrant associations and other civil society organisations play a key role in conveying information and in helping immigrants to find employment. Social organisations are actively involved across Europe in helping immigrants and their children to find employment by means of vocational training courses, employment advice, support for small business start-ups, etc.

- 1.8 Companies are increasingly benefiting from the opportunities and growing diversity brought by the integration of immigrants into the labour market. The EESC considers that companies could help to raise awareness within the host society against discrimination, and provide employment contracts that are not xenophobic and do not encourage exclusion.
- 1.9 Procedures must be set up based on the planning of migratory flows, which should be carried out in the source countries and should reflect the real possibilities for labour integration and, therefore, for social integration.
- 1.10 Poor quality employment is also a factor for discrimination, when immigrants are used as the "most vulnerable" workforce available.
- 1.11 Unions sometimes demonstrate corporatist tendencies, only defending a few vested interests and excluding immigrants. The EESC considers that unions must welcome immigrant workers into their ranks and help them to attain representative and management positions. Numerous trade unions implement best practices which guarantee that workers enjoy equal rights, regardless of their origin or nationality.
- 1.12 Employers' associations face a major challenge in terms of ensuring transparency in the labour markets. The EESC considers that, together with the unions, they must cooperate with regional and local public authorities to avoid situations of discrimination and to foster attitudes that favour integration.
- 1.13 The social partners, who are key players in the operation of the labour markets, and who are cornerstones of Europe's economic and social life, have an important role to play in integration. In the context of collective bargaining, they must accept their share of the responsibility for integrating immigrants, eliminating any direct or indirect discrimination from collective agreements and from employment laws and practices.
- 1.14 There are many examples of good practice amongst the social partners and civil society organisations in Europe, which the EESC would like to see more widely adopted. At the Dublin hearing, positive experiences in businesses, trade unions, employers' associations and social organisations were looked at, and some that the Committee wishes to highlight are: the commitments given by the social partners in Ireland to manage diversity within companies and to combat discrimination, and the agreement reached by the social partners in Spain to legalise illegal employment and immigration and to manage labour migration through cooperation and social dialogue.
- 1.15 The EESC believes that active policies and new commitments on the part of the social partners are needed, in order to foster social attitudes that encourage integration, equal treatment and the efforts to combat discrimination in the workplace. European social dialogue can provide an appropriate framework enabling the social partners to give new commitments.

- 1.16 European social dialogue is the exclusive responsibility of the social partners; The EESC and UNICE have drafted the agenda for European social dialogue and the EESC hopes that the objectives it sets out will be attained.
- 1.17 The EESC can form a permanent forum for dialogue on good practices in the areas of integration and immigration. It is, therefore, set to continue working in cooperation with the Dublin Foundation and the ILO to foster the development in Europe of integration-friendly policies and practices. It will organise further meetings and forums bringing together the social partners and other civil society organisations with the aim of examining and exchanging instances of current best integration practice in Europe.
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