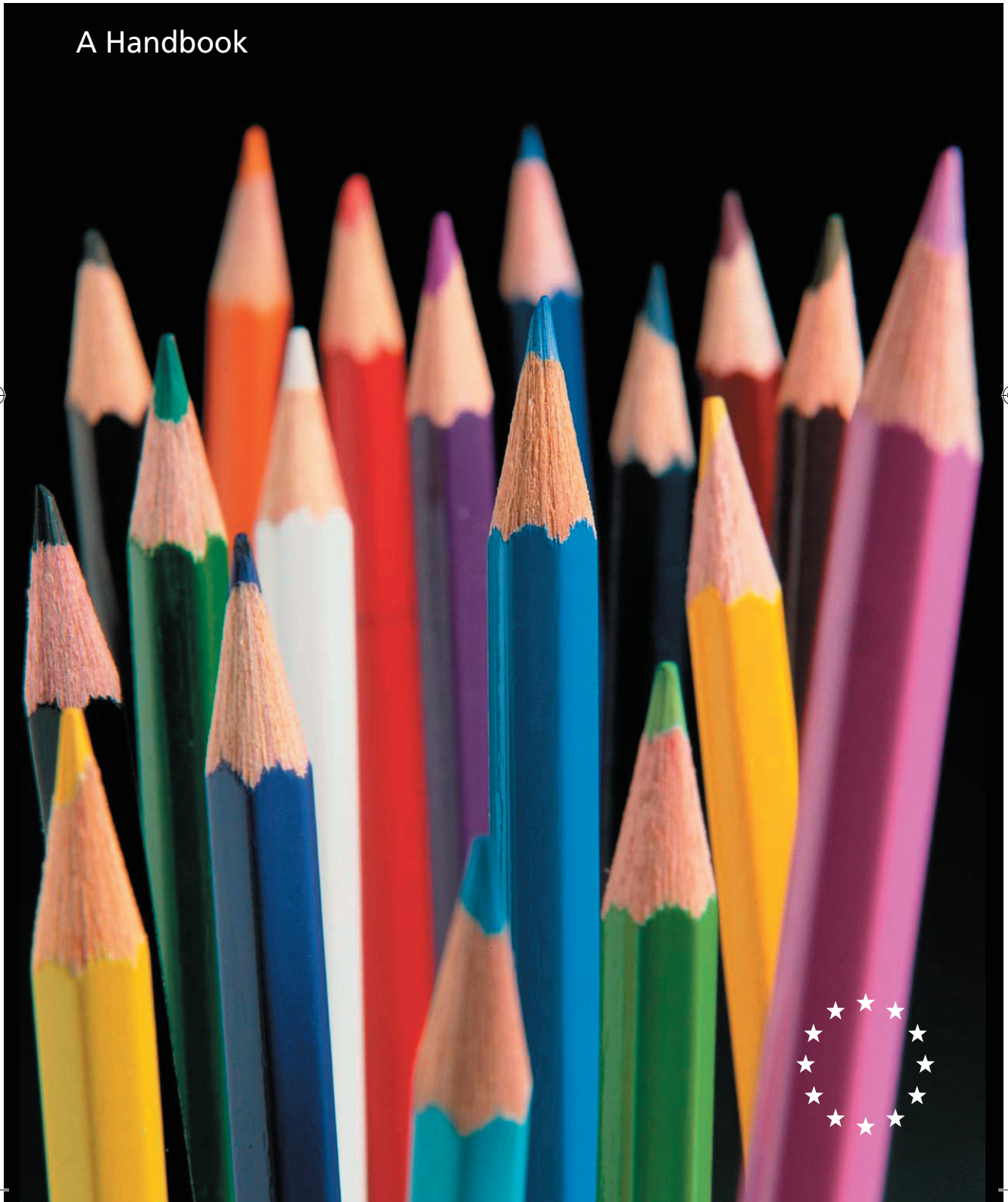


Equality in Diversity.

Migration and Integration

A Handbook



Equality in Diversity

Migration and Integration A Handbook

This handbook was created as part of the European Union project "Promoting Equality in Diversity: Integration in Europe," coordinated by the International Labour Organisation.

By: Christian Jäger • Swantje Kahlert • Karin Retzlaff

Europa-Kontakt, Verein zur Förderung der europäischen Integration e.V.

Designer: Thomas Herbell

Berlin

Promoting Equality in Diversity*An Agenda for Action*

This Handbook has been prepared by Europa-Kontakt as a component of an *agenda for action* on migration-integration.

The *agenda for action* is a package of materials and practical guides intended to support social partners in preventing discrimination and facilitating integration in workplaces.

Materials comprising this package include:

- research and evaluation of integration indicators
- a compilation of practice profiles of measures and activities by employers, unions, government authorities and other actors
- orientation pamphlets and ‘tool-kits’ for employers, trade unions and church organizations
- a comprehensive practitioners handbook, and
- a practice evaluation methodology.

These materials were elaborated by a multi-partner INTI project “Promoting Equality in Diversity: Integration in Europe,” implemented by the International Labour Office and partners with the financial support of the European Union INTI program administered by the EC Directorate General on Justice, Freedom and Security.

The partners in this project are:

- Centre for Social Innovation, Austria;
 - Churches Commission for Migrants in Europe (CCME), Brussels;
 - Europa-Kontakt, Berlin;
 - International and European Forum on Migration Research (FIERI) Turin, Italy;
 - Irish Business and Employers Confederation (IBEC); and
 - Irish Congress of Trade Unions (ICTU).
- The ILO International Migration Program provided coordination and technical support.

These materials are in provisional form as of June 2006. Comments and suggestions for improvements are welcome. Please send your observations to Mr. Patrick Taran at taran@ilo.org

ILO
4 route des Morillons
CH 1211 Geneva 22
www.ilo.org/migrant

Copyright © International Labour Organization 2006
First published 2006

Publications of the International Labour Office enjoy copyright under Protocol 2 of the Universal Copyright Convention. Nevertheless, short excerpts from them may be reproduced without authorization, on condition that the source is indicated. For rights of reproduction or translation, application should be made to the Publications Bureau (Rights and Permissions), International Labour Office, CH-1211 Geneva 22, Switzerland. The International Labour Office welcomes such applications.

Libraries, institutions and other users registered in the United Kingdom with the Copyright Licensing Agency, 90 Tottenham Court Road, London W1T 4LP [Fax: (+44) (0)20 7631 5500; email: cla@cla.co.uk], in the United States with the Copyright Clearance Center, 222 Rosewood Drive, Danvers, MA 01923 [Fax: (+1) (978) 750 4470; email: info@copyright.com] or in other countries with associated Reproduction Rights Organizations, may make photocopies in accordance with the licences issued to them for this purpose.

This handbook was created as part of the European Union project "Promoting Equality in Diversity: Integration in Europe," coordinated by the International Labour Office.

Authors: Christian Jäger, Swantje Kahlert, Karin Retzlaff - Europa-Kontakt, Verein zur Förderung der europäischen Integration e.V.

Designer: Thomas Herbell, Berlin

ISBN: 92-2-119051-X & 978-92-2-119051-6

Web/PDF ISBN: 92-2-119052-8 & 978-92-2-119052-3

Web/HTML ISBN: 92-2-119053-6 & 978-92-2-119053-0

CIP data:

Also available in German:

Gleichheit in Vielfalt, Migration und Integration, Ein Handbuch

ISBN: 92-2-719051-1 & 978-92-2-719051-0

Web/PDF ISBN: 92-2-719052-X & 978-92-2-719052-7

Web/HTML ISBN: 92-2-719053-8 & 978-92-2-719053-4

ILO Cataloguing in Publication Data

The designations employed in ILO publications, which are in conformity with United Nations practice, and the presentation of material therein do not imply the expression of any opinion whatsoever on the part of the International Labour Office concerning the legal status of any country, area or territory or of its authorities, or concerning the delimitation of its frontiers.

The responsibility for opinions expressed in signed articles, studies and other contributions rests solely with their authors, and publication does not constitute an endorsement by the International Labour Office of the opinions expressed in them.

Reference to names of firms and commercial products and processes does not imply their endorsement by the International Labour Office, and any failure to mention a particular firm, commercial product or process is not a sign of disapproval.

ILO publications can be obtained through major booksellers or ILO local offices in many countries, or direct from ILO Publications, International Labour Office, CH-1211 Geneva 22, Switzerland. Catalogues or lists of new publications are available free of charge from the above address, or by email: pubvente@ilo.org

Visit our website: www.ilo.org/publns

Contents

Forewords:

It takes two to tango by Sara Fagnani Nilsson, a migrant from Argentina and member of the Malmö City Council	5
Diversity – Challenging Individuals and Beliefs by Rainer Ludwig, Director Human Resources & Member of the Board, Ford-Werke GmbH	6
Food for thought on migration by Giovanni Di Stasi, President of the Congress of Local and Regional Authorities of the Council of Europe	7

Chapter 1: Rights and Realities

1.1 Speaking from Experience - Projects in Europe	9
1.2 Immigration Facts and Figures	21
1.3 Integration Indicators	30
1.4 Chartered Rights	30
International agreements and EU legislation on migration and labour market integration	
• United Nations (UN)	31
• International Labour Organisation (ILO)	34
• Council of Europe (COE)	37
• European Union (EU)	40

Chapter 2: Advice and Support

2.1 Business Cards: European stakeholders in the fields	44
• Working & Living Conditions	45
• Anti-Discrimination & Minority Rights	53
• Anti-Racism & Cultural Diversity	56
• Refugee Aid & Asylum Policy	59
2.2 Contact Points in EU countries	62
2.3 Project Partners	68
2.4 EU Funding programmes	71

Chapter 3: Terms and Bibliography

3.1 Glossary	120
3.2 Links and Literature	132

Appendix I: Statistics	142
-------------------------------	-----

Appendix II: Chartered Rights	146
--------------------------------------	-----

Sara Fagnani Nilsson, a migrant from Argentina and member of the Malmö City Council

—— IT TAKES TWO TO TANGO

My name is Sara Fagnani Nilsson. I was born in Argentina but came to Sweden in September 1977 as a political refugee, with the help of UNHCR.

After having spent some time in a refugee camp, I took up my first paid job in Sweden. Despite a degree in biochemistry and my professional experience in Argentina, I only got a short-term job as a cleaner at Malmö municipal hospital, as a stand-in for the summer holidays. Cleaning, working in a hospital kitchen, washing dishes in a restaurant or being a hotel chambermaid - those were and apparently still are typical jobs for migrants.

Over the years in Sweden, I assumed various large-scale trade union and political offices next to my job at the hospital. At the moment, I represent the Social Democrats in the Malmö City Council. I also chair the committee for municipal services and am a member of the preparatory committee for integration and labour market issues. I now work fulltime as a carer at the hospital, which makes me a "sparetime-politican" as the Swedes call it. From the very beginning, covering all these duties required a lot of responsibility and commitment, but this society also gave me the opportunity to make it work.

Eventually, integration of migrants and political refugees is a responsibility for

society as a whole as much as for the individual. This means that on the one hand, society has a duty to offer the right kind of support to make equal participation of migrants and political refugees possible. This can be done by means of language classes or by informing people about the functioning and structures of a society, by giving them access to university education or vocational training, by enabling them to participate in the labour market, or by opening doors to trade unions or political organisations, by fostering active participation on all levels, to name just a few examples.

On the other hand, we as migrants and political refugees have a duty vis-a-vis the receiving country: learning the language is the most important starting point, accepting the new society we live in, learning more about its structures and mechanisms, in order to be able to respect its laws and its culture and to develop our ability to contribute to it, with our knowledge and experience.

The saying goes that it takes two to tango. I say the same about immigration. Just as with tango- some find it hard and some find it easy, but in the end we manage.

Anything is possible -the impossible just takes a bit longer.

Rainer Ludwig, Director Human Resources & Member of the Board, Ford-Werke GmbH

____ DIVERSITY - CHALLENGING INDIVIDUALS AND BELIEFS

Diversity is more than just a programme or a short-lived trend. Diversity means using the differences of all people as an opportunity and as a potential, to benefit both themselves and their company. Diversity requires individuality and, in order to live diversity, inner conviction is required. Only conviction can create an environment that is characterised by tolerance and mutual respect and, within which, individuals can grow and excel.

At Ford, diversity has been a cornerstone of our worldwide corporate culture for years. It means appreciation for each and every employee, regardless of their nationality, religion, sexual identity or position in society. Ford is proud of its role as a company which, for decades, has pioneered and practised commitment to employees with a migration background, particularly as 57 different nationalities are represented in our workforce. In 1961, Ford was the first company to take advantage of the possibilities created by the German-Turkish work force agreement and commenced recruiting Turkish employees. At the time, as, indeed, continued today,, Ford developed a variety of initiatives to help employees feel at home in a completely different cultural environment. A particularly successful contribution to enhancing

cultural co-existence, in the sense of a corporate diversity strategy, was the XENOS project "Intercultural communication and conflict resolution in the workplace", implemented, with support from the EU, in Ford's Cologne engine plant from 2002 to 2005. The project was designed to raise awareness of cultural differences in communication, with a focus on employees with a migration background, and to overcome potential conflicts with the help of examples from films or roleplays.

The performance of the play "Monsieur Ibrahim and the Flowers of Koran" was another example of intercultural communication within Ford.. Part of the "Diversity & Worklife Week", the play was performed by the German-Turkish drama society "Arkadas" which promotes tolerance and multiculturalism. The theatre performance was sponsored by the "Turkish Resource Group" (TRG), a network of Turkish employees. Founded in 2002, the network's aim is to cater for Turkish employees and Ford customers, both in Germany and Turkey, in order to enhance Ford's appeal as a brand of choice. It is my aim for each and every individual to recognise the meaning of diversity - for themselves, for their company and for the society in which they work.

Giovanni Di Stasi, President of the Congress of Local and Regional Authorities of the Council of Europe

FOOD FOR THOUGHT ON MIGRATION

The Congress of Communities and Regions is one of the pillars of the Council of Europe, along with the Parliamentary Assembly and the Committee of Ministers. It is the political voice of local and regional authorities in the 46 Member States.

Since its foundation in 1994, it has continuously worked on issues related to migration. After all, it is almost always the communities and regions who end up having to put into practice the migration policy that has been decided on a national level. Local and Regional Authorities are faced with the task of guaranteeing good relations between the different population groups and ensuring migrants' access to basic social rights while some of them are also responsible for safeguarding political participation and integration in the local communities. It is obvious that cities and regions are increasingly becoming key players in the implementation of integration programmes. However, their involvement in decision making regarding migration issues seems to be insufficient. Being the authorities that are closest to the citizens, they often have to execute and administrate policies that were designed elsewhere, which does not help to diminish the problems that arise from their own local responsibility for protecting the rights of all inhabitants.

If migration policy in general has not been successful in the past- and there has been a wealth of different approaches - what can be done differently in the future, in order to better tailor it to the needs of local communities?

The Congress of Communities and Regions emphasises the need to understand and precisely identify the

context within which migration policy must succeed. This context is influenced by every individual case, by groups of migrants, their needs and basic rights and complex institutional relationships, and by the resources and measures that are used to guarantee certain basic rights. A case study on migration management in the Spanish city of Seville, soon to be published by the Congress, shows for example that migrants in Spain can be categorised into different groups in accordance with their legal status. However closely the groups may be related to each other, they differ in terms of access to basic rights: There are foreigners who were naturalised and thus became Spaniards, there are citizens from one of the 15 "old" EU-countries or from one of the 10 "new" Member States, citizens of other countries, foreigners who come to Spain to work for a certain company and asylum seekers and migrants who enjoy hardly any legal protection at all.

This diverse picture makes it clear that in designing social policy, the composition of target groups needs to be reconsidered, in order to prevent fragmentation. Moreover, there is a necessity to analyse the processes that occur when local communities evolve - communities that surpass and transcend individual identities and that have a capacity to protect the basic rights of all whilst assuming the corresponding responsibilities.

Access to rights must not be restricted to persons who have a job and an income, since such an approach would lead to social inequalities. Rather than reducing migrants to their role as workers, consumers or victims, we should see them as citizens who contribute to the

political and social development of our societies.

Seeing the complexity of the issues at stake, the Congress has centred its activities around two pivotal points. Firstly, integration and participation of persons with a migration background in the communities, cities and regions of Europe. In 2004, the congress adopted a report, a recommendation and a decision on the subject. These documents call for better coordination of migration policy at local, regional, national and European level, in order to achieve the following three major targets: Integration and participation of migrants -for example by creating local information centres, promoting peaceful coexistence in multi-ethnic communities, thus enabling individuals to exercise their rights and freedoms, and promoting cultural diversity in urban life.

The second priority relates to measures that give migrants effective access to social rights at local and regional level.

In the report "Employment and Vulnerable Groups: the role of local and regional authorities", approved in 2003, four relevant groups, one of them being migrants, were analysed. According to the report, work clearly is a key factor for integration of migrants in society and

for many of them it constitutes the reason to leave their home countries. Congress Resolution 153 (2003) on employment and vulnerable groups and the equally named Recommendation 129 (2003) demanded specific measures for the promotion of migrant employment, in accordance with fundamental principles such as non-discrimination, gender equality and access to vocational training.

As a result of the ongoing discussion and cooperation between the Congress and its partners, for example the German city of Stuttgart or the European Foundation for the Improvement of Living and Working Conditions, a new network will be created and start working in 2006. Its aim is to bring together experts from academic research institutions and a number of European cities that have experience in the integration of migrants. This partnership is to create new momentum and new prospects for migration policy. The network will also systematically collect and analyse existing approaches, it will function as a platform for exchange of good practices and will help develop concrete integration measures for policy fields that are particularly relevant to local communities.

Chapter 1: Rights & Realities

Speaking from Experience - 1.1

Citizen - what a proud word. Liberty, equality, fraternity. A word that does not ask where you are from. It epitomises rights and duties, for the individual and the society.

Being a citizen in Europe can mean only one thing: equality in diversity. That is a mission which will continue to grow but probably never be quite fulfilled. Aiming at its fulfillment, though, is something all of us have to do together. Its imperatives are determined by European values and European developments. In these times, the Old Continent is certainly not suffering from a lack of change.

Europe is in constant movement and so are its citizens. Today, the Member States of the European Union are home to around 17 million people who first came here from elsewhere. Being a citizen in Europe, diversity in equality -this is a constant mission that the project "Promoting Equality in Diversity: Integration in Europe" is part of. The project has numerous aims, namely to contribute to an exchange of experiences, to learning about tolerance and to breaking down internal walls, to pass on the knowledge of those who research migration and integration in theory and/or those who confront it and deal with it every day. It also wants to offer inspiration and tools to all those who work in favour of equality in diversity within companies and government agencies, in associations and projects.

Everyone is a foreigner somewhere. Most people, however, live not just "somewhere" but in the region they have long called their home. They have no idea what it means to live in a different country, to speak a different language, or to come to terms with a different culture. And how many people subsequently leave their new home, never having really arrived? Still others find themselves marginalised in their own country. Integration in Europe demands tolerance and respect towards your fellow citizens -from everybody. From those who have always been there, and from those who have just arrived. Respect for majorities and minorities alike. In order to succeed, we will need bridges, occasional icebreakers and the experience from which confidence springs – confidence in oneself as well as in others. In the following chapter, we would like to present eight projects from different EU-countries which are committed to this challenge.

DENMARK

a subsidised
starting phase

Building a bridge to the labour market

Breaking the ice so that business gives migrants a chance

The Icebreaker (Isbryderordningen) Programme was designed by the Danish government in 1998 in order to help disadvantaged persons (people with disabilities, ethnic minorities) enter the labour market. Companies who showed interest in recruiting qualified employees with a migration background into positions previously held by Danish employees were eligible for a wage subsidy of up to 50% of the person's salary, for up to six months. Employers and employees were matched by the Danish job centres. Jobseekers could qualify for the programme if they had been unemployed for at least two of the preceding eight months, if they were entitled to unemployment benefits or social benefits and if they possessed at least basic qualifications, whether these had been acquired abroad or in Denmark itself. The criteria for the jobs that participants of the icebreaker programme were placed in were that these would not require any additional courses or further training and that there were good prospects for long term employment in the relevant employment area. The aim of the programme was to reduce prejudices and to improve the opportunities of disadvantaged persons in the labour market by giving them experience on the job. Within the first four years of the programme, around 400 persons received support. Icebreaker was made use of mainly by engineers and ICT experts. 71% of participants continued employment on a regular work contract after their participation in Isbryderordningen, while 4% started vocational training. The programme has been reduced and currently covers persons with disabilities only.

Summary: Icebreaker project

OBJECTIVE: Changing existing stereotypes in Danish companies. • Improving jobseekers' prospects through on-the-job-experience.

TARGET GROUP: Members of ethnic minorities who are unemployed. • Employers who previously did not employ any non-Danes.

METHOD: Establishing contact between jobseeking migrants/refugees and companies. • Temporary financial support.

CONTACT: Arbejdsmarkedsstyrelsen 5. kontor, Jens Hørby Jørgensen, Kontorchef, Holmens Kanal 20. Postboks 2150, 1016 Copenhagen K, Denmark, e-mail: jhj@ams.dk, phone: 0045/35288545, Fax: 0045/35362411, internet: <http://www.ams.dk>

GERMANYVocational training
for migrants

With multipliers and mosquesA project in Cologne leverages the power of
role models in migrant communities

Around 40% of young persons in the proud old city of Cologne have their roots in other countries. As compared to their German peers, fewer young migrants successfully complete vocational training. The project "Berufliche Erstqualifizierung von Nachwuchskräften mit Migrationshintergrund in Köln und Umgebung" (Initial job qualification for young people with a migration background in and around Cologne) is a joint initiative by the Cologne Chamber of Crafts and the Chamber of Commerce and Industry. From 1989 to 1995 an information centre with the same name existed in the cathedral city on the Rhine and was known at the time by the acronym BQN. Its successor, established in 2003, was consequently named BQN II.

The initiative's three main objectives are closely linked: firstly, increasing the number of young migrants who participate in vocational training; secondly, lobbying for the creation of additional training positions, and thirdly, calling upon migrant business owners in the area of Cologne to train young people in their own company.

In order to accomplish these aims, BQN focuses on multipliers and on the effect of good examples: persons with a migration background with vocational training are the best role models to convey to young migrants and Russian Germans how important occupational training is. Around 25 young adults with a migration background who have completed vocational training have volunteered to participate on a regular basis in the BQN get-togethers. These take place once a month on the premises of the Chamber of Commerce and Industry and give young people the opportunity to socialise and gather information. BQN II also targets young peoples' parents. The information centre cooperates with migrant organisations and associations in order to inform parents about the importance of education, about the

German education system, about options for vocational training and contacts.

BQN II organises information events for young people and their parents. These take place in venues such as mosques, cultural centres or schools. Another tried and tested method is informing and training multipliers with special regard to particular target groups, occupational areas or countries of origin.

The most important task is to explain to individuals why they should get involved and that they can make a difference to their fellow countrymen by either providing information or creating opportunities for vocational training in their own company.

SUMMARY: Project BQN II - initial job training for young people with a migration background

OBJECTIVE: Increasing migrants' participation in vocational training. • Creating additional training positions. • Increasing the number of migrant-owned companies providing vocational training.

TARGET GROUP: Young people with a migration background (Foreigners/Russian-born Germans).

METHOD: Addressing young people, parents and executives with the help of multipliers (young adults with a migration background and vocational training, migrant associations, entrepreneurs who are members of ethnic minorities).

CONTACT: Beratungsstelle zur Qualifizierung von Nachwuchskräften mit Migrationshintergrund in der Region Köln (BQN II) in der IHK zu Köln, Unter Sachsenhausen 10-26, 50667 Cologne, Germany, phone.: 0221/1640677, fax: 0221/1640669, e-mail: bqn.akpinar@koeln.ihk.de, internet: <http://www.bqn2.de>

ESTONIA

Language courses

When the official language is a foreign language

Interacting with the Russian minority and other minorities

It is a well-known fact that Estonia was part of the Soviet Union from 1940 to 1991. At the time, 61,5 % of the population was Estonian and 30,3% Russian (1989), and the language of both administration and public services was Russian.

In 1991, the country became independent and Estonian was made the sole official language, giving Russian the status of a foreign language. The newly independent state introduced official language tests for its employees in certain sectors such as environmental protection, healthcare and security.

All in all, members of 100 different nationalities live in Estonia today. A government programme for "Integration in the Estonian Society 2000-2007" includes the issues education and culture of ethnic minorities.

With foreign financial assistance, the "Foundation for the integration of Non-Estonians", has established free language courses that prepare people for these language tests. From 1999 to 2005, target groups were unemployed persons, police officers, health workers, persons working for emergency services,

employees in penal institutions and language teachers. The foundation has also set up an exchange programme for public service employees (mainly police officers and civil servants working for local administrations).

In the years 2005 to 2008, this non-government agency will receive funding from the EU for teaching Estonian to 150 police officers and 105 employees of emergency services in the districts of Harju and Ida-Viru. In order to further enhance their knowledge of Estonian, almost two thirds of the participants will change workplace for one month and work in an exclusively Estonian-speaking environment. 30 Estonian police officers will be sent to Russian-speaking environments for the same amount of time. Their mission will be to promote usage of the official language of the country.

SUMMARY: Project Estonian Domestic Labor Force Mobility for Language Practice

OBJECTIVE: Increasing competitiveness and mobility of Non-Estonians in the labour market through improved language and professional skills.

TARGET GROUP: Citizens who do not speak Estonian.

METHOD: Estonian language courses and internships for public sector employees.

CONTACT: Non-Estonians Integration Foundation, Tanel Mätlik, Director, Liimi 1, Tallinn 10621, Estonia, phone: 00372/6599021, fax: 00372/6599022, e-mail: info@meis.ee, tanel.matlik@meis.ee, internet: http://www.meis.ee

AUSTRIA

training for better access to the labour market

Express train number 6, destination: labour market

A development partnership offers training modules for migrants and refugees

"InterCulturExpress" is the name 12 Austrian organisations have given their joint development partnership for the promotion of job opportunities for migrants. The initiative is supported by the European Social Fund and by the Austrian Economic and Labour Ministry.

The project encompasses the following six modules:

- A total of 24 migrants are given the opportunity to participate in a 14-week training course. The contents and structure of the course are based on the basic knowledge participants possess in their own professional field. Access to the Austrian labour market is further facilitated by a mentoring

scheme, which establishes contact between the participants and employees with a migration background.

- 12 persons are trained to become job orientation coaches/ councillors for education issues. The course focuses on working with migrants and refugees.
- The bfi Berufsförderungsinstitut (vocational training institute) in Vienna cooperates with the Beratungszentrum für Migranten und Migrantinnen (information centre for migrants) in elaborating teaching materials for "German as a foreign language in the field of metals/electronics". The materials are tested in two courses with 13 participants each. They are then evaluated and published in the form of a CD-ROM, together with a curriculum and audiovisual teaching and learning aids.
- The information centre for migrants is in charge of yet another part of the project: it is currently compiling a guideline for multipliers and experts working in the field of integration, migration and counselling, called "Bildung anerkennen" (acknowledging education).
- The association "Hebebühne" (lifting platform) has developed eLearning methods for teaching basic EDP-skills. The courses will help participants with a migration background acquire basic knowledge, participants will be coached during self-study phases and upon completion of the course, they will be supported in their search for internships.
- The Vienna-based Verein Autonome Österreichische Frauenhäuser (Association of autonomous Austrian women's refuges) adds the final touch to the project "InterCulturExpress" by contributing a film on the subject "Migrants and the Labour Market".

SUMMARY: Project InterCulturExpress

OBJECTIVE: Improving labour market opportunities.

TARGET GROUP: Migrants.

METHOD: Training measures facilitate access to the Austrian labour market. • Training courses for job orientation coaches. • Compiling teaching materials - Technical German, eLearning for basic EDP skills, guideline "Bildung anerkennen" ("acknowledging education").

CONTACT: Beratungszentrum für Migranten und Migrantinnen, Sonja Sari, Coordinator of the Development Partnership InterCulturExpress, Grüngasse 9/16, 1050 Vienna, Austria, e-mail: s.sari@migrant.at, internet: <http://www.migrant.at>

ITALY

Renaissance-creating opportunities through urban self-help

Living not leaving

Torino is on its way to finding a new identity - how neighbourhoods with large migrants populations are playing out their strengths

"The Gate" first started as a municipal pilot project but has since grown into a multi-purpose local development agency. The project is based on an initiative from 1996, when the Northern Italian industrial metropolis Torino applied for funding at the European Commission with the concept "The Gate - living not leaving".

The aim of the project and the many activities connected to it is the improvement of living and working conditions in two adjacent and run-down neighbourhoods, which have a large migrant population. The townscape in "Porta Palazzo" in the vicinity of Torino's historic centre and "Borgo Dora", one of the first industrial areas in the city, is characterised by the large markets on Piazza della Repubblica and Balôn Square with goods and hawkers from the whole world, and by the surrounding small businesses and second hand shops.

"The Gate" is a comprehensive programme for the promotion of economic development, social and cultural initiatives, rehabilitation of buildings and public spaces -the markets in particular- and for protection of the urban environment. The administrative council of "The Gate" is formed by representatives from the municipal administration, the chamber of commerce, two trade associations, one agricultural cooperative and two social institutions. The following are examples of project activities:

- "Apolié": An information office for jobseekers, targeting mainly migrants. Apolié informs about vacancies, about how to become self-employed and offers support for the transition from non-official to regular commercial activity. The objectives are reducing unemployment, informal employment (for informal read: illicit) and exploitation of employees. The information office cooperates with public authorities, trade unions, trade associations, migrant organisations, consulates, fiscal authorities etc.
- "Territorial Consulting Unit": Raising awareness among businesses for potential investment opportunities in Porta Palazzo und Borgo Dora. A database will serve to provide information on commercial spaces and buildings available in the city.

- "Tourist at Home": The objective is to make neighbourhoods with a multicultural character more attractive for inhabitants of other parts of the city and to reduce prejudices. City maps with walking tours that help discover the West African, Asian and Muslim communities in Porta Palazzo and Borgo Dora and their cuisines were enclosed with the local newspaper. "The Gate" organises guided tours, a street festival and cooking classes.

SUMMARY: Project „The Gate“

TARGET: Improvement of living and working conditions for residents in the area of Porta Palazzo Market and Borgo Dora.

TARGET GROUP: Inhabitants of Torino, in particular socially disadvantaged groups, migrants.

METHOD: Promoting economic development. • Job service. • Rehabilitation.

CONTACT: Progetto Porta Palazzo Committee (Porta Palazzo Project Committee), Project Coordination: Ilda Curti, Director, Piazza della Repubblica 4, Galleria Umberto 1, 10122 Torino, Italy, phone.: 0039/115216242, fax: 0039/114358533, e-mail: gate@etabeta.it, internet: <http://www.comune.torino.it/portapalazzo>

HUNGARY
pathways to
education

Roma for Roma

Equal opportunities in access to
universities and assumption of responsibility

The objective of the Romaversitas foundation is to ensure equal opportunities regarding university education for young Roma. Members of the Roma minority who have a quality education and want to help preserve their cultural identity are given the opportunity to assume responsibility in their communities.

The foundation assists university students by providing didactic, moral and material support. The project was first launched in 1996, a summer school and public lectures were introduced one year later. February 1998 saw the beginning of the first semester at the "Invisible Roma college". To date, Romaversitas boasts a broad range of activities. Examples are:

- First year students in particular make use of the seminar for development of written and oral communication skills. These are improved by analysing and discussing literary works, films or theatre plays. Exam techniques are also taught.

- At the beginning of each academic year, Romaversitas employees together with the students review the objectives of the seminars and tutorials these have chosen, in order to identify the fields where support by teachers or senior students will be needed in the course of the year. Support is usually provided on a one-to-one basis, but groups are formed when possible.
- Students who experience no difficulties receive additional assistance through a tutoring scheme.
- Romaversitas enables scholarship holders to participate in language courses during university holidays. It also cooperates with Roma student organisations from other countries in organising seminars and exchange programmes.
- Moreover, Romaversitas offers full-day weekend seminars on subjects such as Roma culture and history. These can be attended by scholarship holders and high school students, students from other universities, Hungarian students in teacher training courses and teachers.
- Scholarship holders are also encouraged to engage in volunteer work. Some of them run a website which informs about Roma community issues, others provide extra tuition for Roma students.

SUMMARY: Project Romaversitas

TARGET: Equal education opportunities for Roma. • Development of a Roma middle class.

TARGET GROUPS: Young (and relatively young) Roma.

METHOD: Supporting university education through concrete assistance.

CONTACT: Romaversitas Foundation, Ágnes Daróczy, Gábor Havas, Co-Directors, Nefelejcs u. 39, 1078 Budapest, Hungary, phone: 00361/3524500, e-mail: romaversitas@mailbox.hu, internet: <http://www.civiceducationproject.org/countries/hungary/romaversitas.html>

BELGIUM

Weavers in
Antwerp

Weaving their own experience into it

Integration of assyrian refugees through
cultural conservation

Unemployment is high among newly arrived migrants from the rural areas of the Middle East who live in the north of Antwerp. Betet Skara is a project that creates jobs for Assyrian refugees. It thus ensures their material independence and facilitates their integration into the Belgian society. In the Assyrian

weaving workshop, three to five Assyrian employees use traditional weaving looms to produce textiles which are then further processed and made into clothes or designer products. Even the five looms and many of the materials used have been manufactured by employees themselves.

Betet Skara offers employees language courses and further training in EDP and sales management. The project initially received support from the EU.

Betet Skara is still unable to survive on the sale of products alone but thanks to financial support from the Flemish government and the city of Antwerp as well as some private donations, the weaving house and gallery can keep their doors open.

SUMMARY: Project Betet Skara

OBJECTIVE: Meaningful work for economic independence, preserving culture.

TARGET GROUP: Assyrian refugees.

METHOD: Creating jobs, further training.

CONTACT: Betet Skara weaving house, Bisschopstr. 18, 2060 Antwerpen, Belgium, phone/fax: 00323/2353642, internet: <http://www.betetskara.com>, e-mail: info@betetskara.com

IRELAND

nourishing the corporate climate

Diversity to be discussed and celebrated

A bus operator in Dublin is working towards prevention of racism and discrimination

The Irish bus operator "Bus Átha Cliath - Dublin Bus" employs people from 45 different countries. Women are vastly underrepresented. In January 2001, the company appointed an Equality Officer and, with support from the trade unions, established an equality committee. In 2001/2002 an external adviser screened working conditions and relations in the company from the point of view of "Equality and Diversity". The advisor's equality review served as a basis for the development of an action plan and programme for the years 2003 to 2006.

The objective of the programme is to generate an atmosphere of mutual respect among employees. Diversity is to be discussed and celebrated. Posters in cafeterias and training rooms welcome employees with a migration background. Some of the migrant employees write articles for the company magazine in which they present their country of origin and its cultural

WE
FINI

14
exam
of ide
initiativ
proje
for equ
in
diver
agai
racism
ignor

Find us
intern

ww
wisdom
ilo
index.

Cont
August C
Zentrum
soziale Inf
Linke Wi
24
1150 V
Aust
e-ma
institut@

traditions. World maps have been put up in the dining rooms and stimulate conversation among colleagues from different countries. With its initiatives, the company participates annually in the "Anti-Racist Workplace Week", an event initiative by the Irish Equality Authority.

At "Bus Átha Cliath - Dublin Bus", everybody is to have an opportunity for growth, in line with their own capacities. When training programmes are announced, care is taken to ensure that all eligible employees are informed and able to participate. Equality and diversity are discussed during seminars.

The programme states that racism and all other kinds of direct or indirect discrimination will not be tolerated at "Bus Átha Cliath - Dublin Bus". Possible victims may direct complaints to their superiors, the Equality Officer or the Human Resources Department.

_____ **SUMMARY: Project Equality & Diversity at Dublin Bus**

TARGET: Preventing all kinds of discrimination and racism in the company.

TARGET GROUP: Employees from 45 different countries.

METHOD: Appointment of an Equality Officer, equality review and an action programme based on it (training measures for all employees, celebrating together, Anti-Racist workplace week etc.).

CONTACT: Bus Átha Cliath - Dublin Bus, Patricia Normanly, Equality Officer, 59-60, Upper O'Connell Street, Dublin, 1, Ireland, phone: 003531/7033094, e-mail: pat.normanly@dublinbus.ie

Immigration Facts and Figures - 1.2

Figures related to migration and integration should be treated with caution. On the one hand, it is difficult to measure something that is only human. The manifold debates about integration indicators (see chapter 1.3) are a clear reflection of this problem. The data necessary for a meaningful assessment are only fragmentarily available and the methods with which these have been collected remain subject to controversy. On top of that, and because of differences in the methods used for data collection, it is not possible to compare the quantifiable factors, namely immigration and emigration. In some areas it is only logical that we have to resort to estimates, which is particularly true of illegal migration. But even the seemingly easy task of comparing the proportion of legal immigrants in the populations of various countries soon reaches its methodological limits. This is because some countries consider foreigners to be the foreign nationals living in their territory, whereas others define foreigners as those persons who were born abroad. If the differentiation is based exclusively on citizenship, and rules for naturalisation are relatively generous, for example in the context of a country's colonial past, then it is no longer possible to identify a possible migration background. This applies for example to the Netherlands, France or Sweden but also to Germany as regards the Russian-born Germans (Russlanddeutsche). Furthermore, not all national

WEB-FINDER

140 examples
of ideas, initiatives and projects for equality in diversity,
against racism and ignorance

Find us on the internet at

www.wisdom.at/ilo/index.aspx

Contact:

August Gächter

Zentrum für soziale Innovation

Linke Wienzeile 246
1150 Vienna, Austria
e-mail: institut@zsi.at

and figures from the Council of Europe. The aim was to present as comprehensive a picture as possible of international migration in Europe, within the limits of available data -an endeavour in which omissions or imponderables cannot be avoided entirely.

Country	total population	third-country nationals		Country	total population	third-country nationals	
		absolute	in %			absolute	in %
Austria	8,082,0	551,1	6.81	Latvia	2,319,2	28,9	1.25
Belgium	10,355,8	274,0	2.64	Lithuania	3,462,6	32,5	0.93
Cyprus	715,1	33,3	4.65	Luxembourg	448,3	21,9	4.88
Czech Republic	10,203,3	78,8	0.77	Malta	397,3	2,7	0.67
Denmark	5,397,5	204,8	3.80	Netherlands	16,258,0	477,9	2.94
Estonia	1,356,0	267,5	19.72	Poland	38,218,5	685,7	1.79
Finland	5,219,7	72,5	1.39	Portugal	10,407,5	183,4	1.80
France**	59,635,0	2,060,8	3.45	Slovakia	5,379,2	91,3	1.70
Germany	82,536,7	4,900,0	5.80	Slovenia	1,996,4	43,3	2.17
Greece	11,006,4	687,7	6.25	Spain	42,197,9	ca. 3,000,0	5.20
Hungary	10,116,7	112,7	1.11	Sweden	8,975,7	269,1	3.00
Ireland	3,963,6	135,2	3.41	United Kingdom	59,328,9	1,719,6	2.89
Italy	57,321,1	2,000,0	3.49	EU-Total	455,298,5	17,122,0	3.76

Figures dating from January 2003. (Germany: January 2004, Spain: January 2005).
 * Only nationals of Non-EU countries were included. The number of citizens born abroad is much higher for some countries. ** Estimate based on figures for 1999.
 Further information can be found in Appendix I. Source: Eurostat.

Notwithstanding methodological difficulties, certain trends can be identified. In the first half of the 1980ies, migration in Europe first declined before it started rising again in the middle of the decade. From 1995 onwards, the available data show distinct fluctuations. Around the beginning of the new millennium however, most countries experienced a significant growth of migration. France, Italy, Austria, Portugal and Finland showed an above average increase until 2001. Increases in Germany and Luxemburg in contrast were below average. In absolute numbers, however, Germany, the United Kingdom, Italy and France experienced the highest migration-rate in 2001, followed by the Netherlands, Austria, Belgium, Sweden and Ireland. Those EU-countries for whom reliable figures are available for the year 2003 almost consistently show a decline in immigration. In the case of Denmark, Germany and the Netherlands, this can be considered part of a tendency that had been

on the horizon for some time, whereas in Ireland and the United Kingdom, the decline followed a period of constant growth.

Regarding the origins of immigrants, there seems to be a continuation of patterns that have evolved in previous decades in almost all Member States: a small number of countries of origin are of particular significance for receiving countries because of historic ties, geographic proximity, language or previous immigration. In the case of Belgium, these countries are the Netherlands, France and Morocco, in the case of Portugal Angola and Cape Verde, for Italy Albania, Romania and Morocco, for Hungary Romania and Ukraine, for France Morocco and Algeria, for Germany Italy and Turkey. There seem to be new migration flows as well, though. Increasingly, people migrate from Afghanistan to Denmark, from Iraq to Sweden, and from Thailand and China to Finland. The origins of migrants are becoming more diverse. Besides, regarding the increasing number of female migrants, a feminisation of migration has become visible: around half of all international migrants are women, and in some migration movements they are now in the majority. Moreover, female migrants no longer leave their countries as trailing family members, displaced persons or refugees as they did in the past but on their own account, because they seek work or within the context of their education.

— Integration

In a survey conducted in 2003 in 31 European cities, around half of the persons surveyed were of the opinion that there were great deficits in the integration of migrants. But in how far are people willing to contribute to a successful integration of migrants and how do they assess the impact of migration on society?

Three Eurobarometer surveys from 1997, 2000 and 2003 provide some information on the issue. The percentage of EU-citizens who describe themselves as open to a multicultural society has remained more or less stable, at 75%, since 1997. Citizens of accession countries (next to the countries who entered the EU on May 1, 2004, Bulgaria, Romania and Turkey were also included) were first surveyed in 2003. Their approval rate was at 72%.

However, the question whether there are limits to a society's capacity to absorb migrants was answered affirmatively by an increasing number of persons. For this question, the results were as follows: in the old EU-countries a significant 60% answered with yes, compared to only 42% in the accession countries.

Simplifying the granting of rights to legal migrants, including family reunion and easier access to naturalisation was viewed as positive by 60%. Nonetheless, there were substantial differences in the reactions between Middle and Western Europe and the Baltic countries -where overall approval was lower- and the Mediterranean and Eastern European countries, where the approval rate was higher. A growing number also approved of repatriation of legally established migrants in case of unemployment, albeit that only a minority of approx. 20% voiced this opinion.

Also conducted in 2003, the objective of the European Social Survey was to identify different forms of ethnic exclusion. The survey came to the conclusion that around half of all persons surveyed did not approve of increased immigration from other cultural spheres or poorer countries. Regarding this question, great differences became apparent between Sweden (14.84%) and Greece as well as Hungary (87.48% and 86.53% respectively).

Opinions are similar on the assessment of a diverse society. Around 50% of persons surveyed were of the opinion that a population that is homogenous to the greatest extent possible and maintains common habits and traditions is best for a country. One point of particular concern is the emotional perception of migration as a threat.

After all, as much as 58% agreed with statements such as "migrants take away jobs", "immigration is bad for the economy" or "migrants contribute to a rise in crime". Regarding these items, agreement was highest in Greece and -to a lesser extent- in Eastern Europe.

Table 2: Attitudes towards migration (approval in % of respondents)

Country	multi-culture has limits	diversity not a good idea ¹⁾	migration as a threat ¹⁾	Country	multi-culture has limits	diversity not a good idea ¹⁾	migration as a threat ¹⁾
Austria	61.3	43.01	52.03	Italy	45.5	48.14	53.94
Belgium	69.2	41.98	62.88	Latvia	58.2	./.	./.
Cyprus	52.3	./.	./.	Lithuania	31.1	./.	./.
Czech Republic	56.4	61.81	75.13	Luxembourg	63.0	33.03	39.58
Denmark	55.4	43.76	49.97	Malta	58.9	./.	./.
Estonia	64.3	./.	./.	Netherlands	67.6	30.80	55.08
Finland	21.6	44.96	./.	Poland	30.1	67.64	57.48
France	64.1	./.	./.	Portugal	59.2	68.29	61.54
Germany	West: 71.5 East: 74.6	West: 39.56 East: 42.1	West: 57.4 East: 65.99	Slovakia	17.1	./.	./.
Great Britain ²⁾	68.1	34.75	61.19	Slovenia	42.8	59.34	63.36
Greece	86.6	77.23	84.73	Spain	49.3	47.87	51.96
Hungary	48.5	45.64	74.65	Sweden	40.7	39.90	32.81
Ireland	72.1	28.92	54.36	EU-Countries	Old ³⁾ : 60 New ⁴⁾ : 42	48.00	58.00

1) European Social Survey not conducted in all of the EU25. 2) Excluding Northern Ireland.
3) Old: 15 „old“ EU-Countries. 4) New: 10 new EU Member States. Sources: Eurostat, EUMC.

Work

The surveys showed reservations against migrants to be most prevalent in regions with high unemployment. However, the OECD data gives reason to believe that in choosing a place to live, migrants try to take into account the availability of employment in as much as that is possible.

Migration of a clearly labour market related type saw a marked increase in the years 1991 to 2001. During this time, many governments allowed for targeted immigration of highly qualified labour. In France, Germany, Great Britain and Ireland, special programmes were launched to this end, which focussed above all on facilitating immigration of engineers or experts in information and communication technology. This approach reflected the global competition for qualified labour in recent years.

As the decline in the overall economic situation started to affect the European Union in 2001, this kind of immigration did experience a certain drop, although the phenomenon as such was not called into question. Despite a rise in unemployment rates, even immigration of less qualified and unqualified

labour persists. The proportion of shuttle migration also rose because of an increase in time limits for employment, mainly in agriculture. In Great Britain, the number of seasonal workers doubled from 2000 to 2001, in France, it rose by 37% and in Germany by 27%. Employment -albeit in many cases illicit- of foreign labour in private households has increased in significance, too. There is no extensive data to prove this, but the legalisation campaigns conducted in Southern European countries allow for the following conclusions: a relevant campaign in Italy in 2002 found around half of the more than 700 000 applicants to be employed in private households. One year earlier in Spain, it was almost one third out of a total of 350 000 applicants.

Table 3: Foreign Workforce¹⁾ in selected countries
Figures for 2003

Country	in 1000	in %	Country	in 1000	in %
Austria	350,4	11.8	Italy	1,338,2 ⁴⁾	6.0
Belgium	388,6 ⁴⁾	7.6	Latvia	7,0	./.
Czech Republic	168,0	2.1	Lithuania	0,6	./.
Denmark	106,6⁴⁾	3.6	Luxembourg	182,8	65.5
Estonia	111,0	./.	Netherlands	235,0²⁾	3.8
Finland	46,1 ⁵⁾	1.8	Portugal	99,8³⁾	5.5
France	1,617,6⁴⁾	5.6	Slovakia	2,7	0.2
Germany	1,964,1	9.4	Slovenia	32,1	./.
Greece	233,5	9.5 ⁴⁾	Spain	925,3	5.2
Hungary	48,7	1.2	Sweden	226,0 ⁴⁾	4.9
Ireland	82,1⁴⁾	5.5⁵⁾	United Kingdom	1,396,0	4.9

1) Workforce, including the unemployed - apart from Belgium, Greece, Luxembourg, Netherlands, Portugal and the United Kingdom. 2) 1998 figures. 3) 2000 figures. 4) 2001 figures. 5) 2002 figures.

Sources: OECD, Council of Europe

Education

Access to education and vocational training is an important key factor for integration. A crucial prerequisite is all too often language, but the whole social environment of students with a migration background also influences education opportunities.

The fact that, for pupils in Belgium, Germany and the Netherlands who do not speak the language used at school in their homes, the likelihood of ranking only in the bottom quarter of the performance ladder is 2.5 times higher than for their fellow students (OECD PISA-Study 2003), is an example that testifies to the great importance of adequate language skills. However, some countries

seem to be doing better than others when it comes to containing disadvantages for migrant children.

Nonetheless, in comparing results, different social characteristics of migrant populations in different countries must be taken into account, as well. These are: origin, language, education and socio-economic criteria. Different immigration policies and practices in the EU countries also have an impact. Migration thus diverges not only in the number of migrants received but also in terms of the conditions placed on them regarding education or training. This means that in some countries, migrants tend to be part of a more favourable social environment than in others.

There is no proven correlation between students' migration background and their ability to perform. Much more decisive for performance are socio-economic and education conditions -as is the case even for native students. In countries where migrants have a comparably low level of education and are in a less favourable socio-economic position, performance of pupils with and without a migration background thus tends to diverge more strongly.

Table 4: Comparison of average Performance in Mathematics

Country	native ¹	born in the country ²	born abroad ³	Country	native ¹	born in the country ²	born abroad ³
Austria	515	459	452	Greece	449	./.	402
Belgium	545	454	437	Latvia	484	479	./.
Denmark	520	449	455	Luxembourg	507	476	462
France	520	472	448	Netherlands	551	492	472
Germany	525	432	454	Sweden	517	483	425

1: Students born in the country with at least one parent born in the same country. OECD average: 505.
 2: Born in the country with parents born abroad. OECD average: 481.
 3: Born abroad with parents also born abroad. OECD average: 466.

Source: OECD

Entrepreneurship

Throughout the last decades, so called ethnic businesses have established themselves in all European countries, that is to say businesses and companies founded and/or run by migrants. To date, there are no comprehensive data available on the subject, despite the growing economic importance of these businesses in many countries. Nonetheless, certain statements can be made on the basis of the information that is indeed available. Most of the businesses in question are small or medium sized enterprises (SMEs), and they cover a wide range of different activities. The focus is on the service sector, namely on trade

and hospitality as well as cleaning companies. Besides, ethnic entrepreneurs can also be found in the industrial sector where they often operate in the building industry.

Closer inspection reveals that groups of migrants from different regions tend to cover different markets. In Portugal for example, Cape Verdean immigrants often set up construction firms, whereas Chinese migrants run restaurants and Indian migrants are active in trade. Similar patterns can be found in other countries, at least as far as first generation migrants are concerned.

In the second generation, there often is a noticeable shift away from the niche chosen originally, such as supplying fellow countrymen with foods that are unavailable elsewhere. This may be due to the fact that this group of ethnic entrepreneurs has a higher level of education. However, no universal statements can be made about this.

A lower level of education and the subsequent difficulties in finding access to the labour market are often stated as a reason for self-employment. However, at the end of the 1990ies more than 30% of Iranian migrants in Sweden were self-employed, most of whom had a very good education.

Common to all businesses is the fact that access to financial means is secured mostly through family or ethnic networks rather than bank loans. One of the reasons is a lack of involvement in the local business community and insufficient knowledge of options for support and assistance. On the other hand, financial institutions often show themselves sceptical as to the viability of migrants' business ideas. On the whole, this means a limitation on growth for many businesses.

Nonetheless, in a number of countries, ethnic businesses make a contribution to the economy that should not be underestimated. In Sweden and the Netherlands they make up 12% of all companies, in the United Kingdom around 7% of all SMEs, and in Germany, 28% of all restaurants were under foreign management at the beginning of the 1990ies. Employees are often members of the same ethnic group, and the proportion of helping family members is also high among autochthonous businesses.

Useful examples from practice:

Success in setting up a business is to no small extent related to comprehensive information and advice before getting started. Many potential ethnic entrepreneurs are unaware of the assistance provided by experienced agencies for economic promotion and business associations etc. As a consequence, they experience setbacks and miss out on opportunities.

The "Ethnic Support Programme" in Wales aims at closing this gap by bringing relevant organisations in contact with ethnic communities and involving these in local networks. Apart from assisting founders, it also supports existing companies in identifying new markets.

—— Internet: <http://www.ebsp.org>

IFS (Insamlingsstiftelsen), a federation of ethnic entrepreneurs in Sweden, has a similar aim. This independent organisation helps founders in dealing with authorities and banks, assists them in their plans for entering the market by compiling a business plan and supports them in deciding what further steps to take.

—— Internet: <http://www.ifs.a.se>

Among ethnic minorities, the readiness to set up a business is often greater than among the native population. This is true for example in the United Kingdom and in Sweden it is two times higher than among the native population, at 16%. However, in Portugal, which shares a traditionally high rate of self-employment of over 20% with the other Mediterranean countries, the rate for migrants is lower, at around 15%.

The contribution of ethnic entrepreneurship to integration is difficult to assess. Involvement in business, interacting with clients who are not part of the same ethnic group and with public institutions may well have a positive influence. The most important prerequisite, however, is for the receiving society to support the process. This kind of support may also help to reduce the relatively high number of ethnic enterprises forced to close down after only a short time in business.

Integration Indicators - 1.3

The presence of immigrants and immigrant minorities can generate recurrent social and political conflicts. It can produce negative effects on the whole system, for instance weakening the bargaining power of labour forces. On the other hand integration, even if partial, can have positive effects on immigrants and on the whole system. It can improve immigrants' life conditions, encourage toleration and pluralism, bring new energies and needed competencies in declining sectors, counterbalance population ageing.

One component of the project "Promoting Equality in Diversity in Europe" concerns research on indicators of integration. This part is assigned to FIERI, the International and European Forum for Migration Research, based in Turin. The work encompasses reviewing the existing literature on integration, looking at the relationship between models and indicators of integration as well as developing a theoretical system of integration and evaluating the relevance of key indicators of integration, for example with regard to employment. The results, consisting i.a. of a set of recommendations on applicable indicators, will be available on the project's or FIERI's website respectively.

Chartered Rights - 1.4

Some of them cross whole continents, others simply cross a border. Many of them follow their families and many are seeking work. Millions of them are seeking refuge, some of them hope for asylum. The most frequent reason for migration worldwide is and remains family reunion. The second largest group of migrants is that of migrant workers, the third largest that of asylum seekers and refugees.

Depending on their reason for departure and on the destination they are headed for, the routes they take and the places where they arrive (and stay), people theoretically are entitled to and practically have the prospect of being granted protection and rights that have been agreed internationally but vary in efficiency. From a European point of view, legal documents that bear particular relevance for migrants are those by:

- the United Nations (UN),
- the International Labour Organisation (ILO),
- the Council of Europe
- the European Union (EU)

The following chapter gives an overview of the most important cornerstones and the possibilities that exist to actually assert the rights that have been laid down in them. Additional explanations regarding individual Conventions by the UN, the ILO and the Council of Europe and European Union legal acts can be found in Appendix II of this handbook.

UN-Conventions

_____ Details on the Anti-Racism Convention and the Migrant Workers Convention on page 175 ff., Appendix II

UNITED NATIONS

Protection of human rights and fundamental freedoms is the second major field of activity of the United Nations with its 191 Member States, next to the protection of world peace and international security. Its six most important human rights agreements¹ -all of whom are also instruments for the protection of migrants -were supplemented in 1990 by the International Convention on the Protection of the Rights of Migrant Workers and their Families². Unlike declarations and resolutions adopted by the UN General Assembly, agreements concluded within the United Nations such as the Human Rights

1 UN-Human Rights Agreements

- International Covenant on Economic, Social and Cultural Rights, CESCR, 19 December 1966 („Social Covenant“, in force since 1976), Source: <http://www.auswaertiges-amt.de/www/de/infoservice/download/pdf/mr/sozialpakt.pdf>.
 - International Covenant on Civil and Political Rights, CCPR, 1 December 1966 („Civil Covenant“, in force since 1976), Source: <http://www.auswaertiges-amt.de/www/de/infoservice/download/pdf/mr/zivilpakt.pdf>.
 - Convention on the Elimination of all Forms of Racial Discrimination, CERD, 7 March 1966 (in force since 1969), Source: <http://www.auswaertiges-amt.de/www/de/infoservice/download/pdf/mr/rassendiskr.pdf>.
 - Convention on the Elimination of All Forms of Discrimination against Women, CEDAW, 18 December 1979 (in force since 1997), Source: <http://www.auswaertiges-amt.de/www/de/infoservice/download/pdf/mr/frauen.pdf>.
 - Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, CAT, 10 December 1984 („Anti-Torture Convention“, in force since 1987), Source: http://www.unhchr.ch/html/menu3/b/h_cat39.htm.
 - Convention on the Rights of the Child, CRC, 20 November 1989 (in force since 1990), Source: <http://www.ohchr.org/english/law/pdf/crc.pdf>.
- 2 International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, 18 December 1990 (in force since 2003), Source: http://www.unhchr.ch/html/menu3/b/m_mwctoc.htm.

Convention constitute binding international law -with legal obligations restricted to those countries which have signed and ratified the agreement in question.

Monitoring and enforcement mechanisms are needed to ensure compliance with the agreed standards. For the UN Human Rights Agreements, these mechanisms are relatively weak. For each of the six Human Rights Agreements and the Migrant Workers Convention, a monitoring or treaty body -a committee of independent experts- has been established. In accordance with the agreements in question, the parties have the duty to report in certain regular intervals on the state of implementation of and compliance with the codified standards in their territory. The truthfulness and openness of government representatives who are heard during sessions of the responsible committee may be verified in a scrutinising process with the help of additional information provided e.g. by non-governmental organisations. This process is based on the hope that the reporting duty and reporting itself will generate publicity and thus put pressure on the contracting parties to fulfill their commitments and respect human rights, if only to save their international reputation.

Apart from the state reporting procedure, the Anti-Racism Convention and the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families also provides for inter-state complaints und individual complaints as enforcement mechanisms.

The inter-state complaint is laid down as a mandatory procedure in the Anti-Racism Convention (Article 11). The Migrant Workers Convention as well as the Civil Covenant and the Anti-Torture Convention provide for inter-state complaints under the condition that the contracting parties subject themselves to the procedure voluntarily (complementarily)³. A state party can make another state party accountable for non-compliance with or violation of obligations laid down in the Convention before an ad hoc Conciliation Commission which is to be appointed in such a case. If a dispute arises between two or more of the contracting parties concerning interpretation or application of a Convention, and the dispute cannot be settled by way of negotiations, the matter will be submitted, at the request of any of the parties,

3 Other human rights agreements (i.e. the Social Covenant, the Convention on the Rights of the Child and the Convention on the Elimination of All Forms of Discrimination Against Women) do not provide for inter-state complaints. In the area of human rights, the procedure has thus far not been applied in any of the cases.

to the International Court of Justice (ICJ) in The Hague⁴ for decision⁵. Only states are admitted as parties before the ICJ, it is thus not possible to direct individual complaints to The Hague.

The Anti-Racism Convention and the International Migrant Workers Convention allow for the option of individual complaint only if the contracting party has voluntarily joined the procedure, which it can do at all times by way of a simple declaration of consent⁶. A national agency may be set up for receipt and consideration of complaints⁷ by citizens who regard themselves to be victims of a violation of the Anti-Racism Convention. However, the agency is responsible only if all available local remedies have been exhausted⁸. Only as a last resort, if the claimant has not achieved justice before the national agency, can the matter be dealt with before the treaty body (the monitoring body established for the agreement in question) -the prerequisite being that a minimum of 10 state parties have accepted the individual complaint procedure. The arbitration procedure provided aims at an "amicable settlement". To this end, the treaty body informs the accused state about the complaint -initially without revealing the identity of the person or group of persons in question. Subsequently, the state must, within three months, submit to the committee a written comment or explanation of the matter and of possible remedial action taken. The Committee will then deliberate and issue proposals or recommendations to the State Party, which will also be communicated to the author of the petition. The whole procedure will be documented in the treaty body's annual report. The individual complaint procedure does not provide for the possibility of sanctioning State Parties who violate the agreed rules.

4 The International Court of Justice (ICJ) is the judicial organ of the United Nations. The ICJ is not to be confounded with the International War Crimes Tribunal which is also based in The Hague.

5 Article 22 of the Anti-Racism-Convention, Article 92 of the International Migrant Workers Convention.

6 As regards the Anti-Torture-Convention, the Anti-Racism-Convention and the International Convention on the Protection of the Rights of all Migrant Workers and Members of Their Families, the individual complaint procedure is accepted through a simple declaration of consent, in the case of the Civil Covenant and the Women Rights Convention through ratification of an additional protocol by the State Party concerned. Neither the Social Covenant nor the Convention on the Rights of the Child provide for an individual complaint procedure.

7 Complaints are called "communications" in official UN language.

8 In principle, this condition must be fulfilled before the committee (the treaty body) will deal with the matter. This does not apply, however, if inner-state procedures have been unduly protracted.

ILO-Conventions

Information on individual Conventions and Recommendations on pages 175 ff., Appendix II

**INTERNATIONAL
LABOUR
ORGANIZATION**

Founded in 1919 as part of the League of Nations, the International Labour Organization (ILO) became a United Nations' specialised agency in 1949. To date, it has 178 Member States. Apart from governments, the social partners are also represented in its three bodies⁹, with half of the seats allocated to government representatives and one quarter each to employer and employee organisations respectively.

The organization's main tasks are the promotion and implementation of fundamental principles and rights at work. These core principles encompass: freedom of association, the right to collective bargaining, prohibition of forced labour, abolition of child labour and protection against discrimination in employment and occupation¹⁰. These International Labour Standards are laid down in binding international law in the following ILO-Conventions (Conventions - C):

ILO-Conventions on International Labour Standards:

- C 29: Forced Labour Convention, 1930.
- C 87: Freedom of Association and Protection of the Right to Organise Convention, 1948.
- C 98: Right to Organise and Collective Bargaining Convention, 1949.
- C 100: Equal Remuneration Convention, 1951.
- C 105: Abolition of Forced Labour Convention, 1957.
- C 111: Discrimination (Employment and Occupation) Convention, 1958.
- C 138: Minimum Age Convention, 1973.
- C 182: Worst Forms of Child Labour Convention, 1999.

Apart from these eight core conventions, which today have a binding effect in an overwhelming majority of Member States, the following ILO-conventions are particularly relevant for migrant workers and their family members¹¹, for example because there is a particularly strong presence of migrant workers in

9 General conference of members' representatives, known as International Labour Conference: supreme body, Governing Body: executive body, International Labour Office: Secretariat.

10 All ILO Member States have a duty to respect, promote and implement these fundamental principles and rights, even if they have not ratified the corresponding Conventions -see the 1998 ILO Declaration on Fundamental Principles and Rights at Work and its Follow-up published on the internet at http://www.ilo.org/dyn/declaris/DECLARATIONWEB.DOWNLOAD_BLOB?Var_DocumentID=1.

11 Source: International Labour Conference, 92nd Session, 2004, Report VI, Towards a fair deal for migrant workers in the global economy, Sixth item on the agenda, International Labour Office Geneva, ISBN 92-2-113043-6, ISSN 0074-6681, First edition 2004, published on the internet at <http://www.ilo.org/public/english/standards/relm/ilc/ilc92/pdf/rep-vi.pdf>

the professional group for which the convention in question sets minimum standards:

ILO-Conventions with special relevance to migrant workers

- C 19: Equality of Treatment (Accident Compensation) Convention, 1925.
- C 81: Labour Inspection Convention, 1947.
- C 94: Labour Clauses (Public Contracts) Convention, 1949.
- C 95: Protection of Wages Convention, 1949.
- C 94: Labour Clauses (Public Contracts) Convention, 1949.
- C 95: Protection of Wages Convention, 1949.
- C 102: Social Security (Minimum Standards) Convention, 1952.
- C 110: Plantations Convention, 1958.
- C 118: Equality of Treatment (Social Security) Convention, 1962.
- C 122: Employment Policy Convention, 1964.
- C 129: Labour Inspection (Agriculture) Convention, 1969.
- C 131: Minimum Wage Fixing Convention, 1970.
- C 149: Nursing Personnel Convention, 1977.
- C 157: Maintenance of Social Security Rights Convention, 1982.
- C 155: Occupational Safety and Health Convention, 1981.
- C 161: Occupational Health Services Convention, 1985.
- C 167: Safety and Health in Construction Convention, 1988.
- C 168: Employment Promotion and Protection against Unemployment Convention, 1988.
- C 172: Working Conditions (Hotels and Restaurants) Convention, 1991.
- C 181: Private Employment Agencies Convention, 1997.
- C 184: Safety and Health in Agriculture Convention, 2001.

The constitution of the International Labour Organisation expressly gives it the task of "protecting the interests of workers when employed in countries other than their own". The following two ILO-conventions (C) and three Recommendations (R) place a special focus on these workers and their family members:

ILO-Conventions and Recommendations on migrant workers

- C 97: Convention concerning Migration for Employment, 1949
- C 143: Convention concerning Abusive Conditions and the Promotion of Equality of Opportunity and Treatment of Migrant Workers, 1975.
- R 86: Recommendation concerning Migration for Employment, revised 1949
- R 100: Recommendation concerning the Protection of Migrant Workers in Underdeveloped Countries and Territories, 1955.
- R 151: Recommendation concerning Migrant Workers, 1975.

——— For detailed information on these five documents please refer to Appendix II.

Notwithstanding some minor exceptions, these instruments cover the whole foreign workforce with a regular status (holding a residence and a working permit). They do not include the self-employed, sailors, cross-border commuters, artists and members of the professions whose stay in the country

concerned is only short-term. Convention 143 does not cover foreign employees with a temporary residential status that expires upon completion of the assignment.

The decision whether there will be a Convention on a certain subject or issue or whether a Recommendation will suffice is made by the International Labour Conference (ILC)¹². To date, the ILO has adopted 185 Conventions and 195 Recommendations¹³. Recommendations are non-binding instruments which set out guidelines to provide orientation for politics at national level. Conventions are international agreements which are binding only for those members of the ILO who have joined and ratified them. A Convention usually enters into force 12 months after the day of ratification by the second Member State. In order to adopt both Conventions and Recommendations at the International Labour Conference, a majority of two thirds of the delegates present is needed.

Countries who have doubts regarding the meaning of individual provisions of one of the ILO-Conventions or ILO-Recommendations can request a statement from the International Labour Office. The Office offers assistance to governments as well as employer and employee associations although it is not authorised to provide binding interpretations. In accordance with the ILO-Constitution¹⁴, the only body authorised to give a binding interpretation of either ILO-Conventions or ILO-Recommendations is the International Court of Justice in The Hague. So far, there has been only one case in which the ICJ provided such a formal interpretation¹⁵.

In addition, there are the following options for grievances or complaints: the employer and employee associations of one country may file a complaint against a state at the ILO Governing Body¹⁶ if they are of the opinion that it is

12 Each Member State sends four delegates to the International Labour Conference held once a year: two government representatives, one employee- and one employer representative.

13 Internet sources for ILO documents

- Conventions at <http://www.ilo.org/ilolex/english/convdisp1.htm>, Recommendations at <http://www.ilo.org/ilolex/english/reccdisp1.htm>

14 Article 37, paragraph 1.

15 To be precise, it was its legal predecessor, the Permanent International Court (PCIJ) in The Hague, which had to decide on the interpretation of the 1919 Convention on Night Work for Women in 1932 (Permanent Court of International Justice, Series A/B, Fascicule No. 50 bzw. Official Bulletin of the ILO, Vol. XVII [1932], p. 179).

16 The Governing Body is the ILO executive body. It is composed of 28 government representatives as well as 14 employer and 14 employee representatives and meets three times a year. Ten countries (Brazil, China, France, Germany, India, Italy, Japan, Russia, the United Kingdom and the USA) are permanently represented in the Governing Body. The remaining seats in the Governing Body are allocated for a period of three years through elections. Representatives of the social partners are also elected.

not fulfilling the provisions of a Convention it has ratified¹⁷. Complaints by individuals are not admissible.

If the Governing Body receives a complaint about a breach of Convention, it will inform and request a statement from the government concerned. It also sets up a tripartite commission to investigate the matter. If the government in question does not react in an adequate manner or within a reasonable time, the Governing Body has ways and means to exercise leverage: it has the right to publish the complaint and, if applicable, the reaction regarded as unsatisfactory.

Any ILO Member State can file a complaint against any other Member State if it is of the opinion that the implementation of a ratified Convention is not ensured in a satisfactory manner. The Governing Body may refer the complaint to a Commission of Inquiry formed for this purpose. Every ILO Member State has the duty to cooperate with the Committee. The Committee drafts a report in which it recommends (sanctioning) measures deemed adequate to "meet the complaint" and a time limit for their implementation. Within a period of three months, every government that is represented in the Governing Body or has an interest in the case must communicate whether it agrees with the recommendations contained in the report by the Commission of Inquiry or whether it wishes to submit the case to the International Court of Justice in The Hague. Decisions by the ICJ on cases or complaints that have been submitted to it are final.

Council of Europe Conventions

_____ Comprehensive information on the Migration Worker Agreement on pages 173 ff., Appendix II

COUNCIL OF
EUROPE

The Council of Europe as the oldest international organisation on the European continent has provided important momentum for European integration, particularly during the post-war years. However, the concurrently developing European Communities with their continuous enlargement (see pages 139-140) and more "ambitious" design were equipped with much greater competencies from the very beginning, leading to a noticeable shrinking of the field of action of the organisation, which has its seat in the Palais d'Europe in Strasbourg. The Council of Europe Committee of Ministers and its

17 ILO constitution, Articles 24, 25 - see Internet: <http://www.ilo.org/public/english/about/iloconst.htm>.

Parliamentary Assembly have therefore turned their attention to concrete subject areas where the European Communities have not engaged in action thus far.

One example is that of labour migration: in the 1960ies, the booming industrial countries in Western Europe recruited foreign labour from other Council of Europe Member States such as Italy, Greece and Turkey. The Council of Europe Ministerial Committee started working towards defining the legal status of foreign employees since the middle of the 1960ies. When the Convention on the Legal Status of Migrant Workers was finally ready to be signed in 1977, the economic situation in Europe had changed substantially. Some provisions concerning collective recruitment of guest workers by the state will already have seemed outdated by that time. In Germany for example, the oil crisis, economic crisis and growing unemployment had already lead to a ban on the recruitment of foreign labour in 1973.

In 1949, the Council of Europe consisted of 10 founding members. Today, it stretches from Portugal and Switzerland as far as Armenia, Azerbaijan, and the easternmost regions of Russia. The Council of Europe institutions are a forum for dialogue. The objective pursued through exchange and cooperation in the economic, social, cultural and academic fields, and in particular through the around 200 international agreements (Council of Europe Conventions) concluded to date is to create closer cooperation between the 45 Member States the Council of Europe encompasses today.

However, the Council of Europe does not possess direct decision making competencies. The negotiated agreements are binding under international law, but Council of Europe Member States can sign and ratify these at their own discretion (or choose not to), meaning that the number of contracting states varies substantially from Convention to Convention. The only exception is that of the European Convention on Human Rights¹⁸ (EHRC), which has been ratified by all Member States of the Council of Europe. States are free to decide for themselves how these agreements are implemented into national law. It is regarded as sufficient if the content of national law guarantees the same rights.

Enforcement mechanisms provided for within the Council of Europe system are fairly weak. Only the ECHR and its additional protocols gives rise to individual rights and provide for a special legal protection procedure before

18 Convention for the Protection of Human Rights and Fundamental Freedoms, 4 November 1950 (in force since 1953), Sources: <http://www.staatsvertraege.de/emrk.htm>, <http://conventions.coe.int/treaty/en/Treaties/Html/005.htm>.

the European Commission of Human Rights and the European Court of Human Rights, established in 1998. In other words: only the rights guaranteed by the ECHR can be claimed before the Council of Europe's Court of Human Rights in Strasbourg.

Complaints against states based on a claimed violation of the ECHR and/or its additional protocols can be brought by other Contracting Parties. Individual complaints may be submitted by individuals, groups of individuals or non-governmental organisations, under the condition that all local remedies have been exhausted. In this context, the principle of non-discrimination laid down in article 14 of the ECHR is an example that relates to migrant workers. In 1996, the European Court of Human Rights decided in the case *Gaygusuz v. Austria*¹⁹, that discrimination of a foreign employee on the grounds of nationality constitutes a violation of the Human Rights Convention in terms of social protection rights.

Although the enforcement mechanisms themselves are relatively limited, the interlocking and sometimes overlapping provisions contained in various Council of Europe Conventions have a mutually reinforcing effect. One example is that of the provisions of the Migrant Workers Convention which complement that of the European Social Charter²⁰ and that of the ECHR, thus attaining specific importance for the target group.

The Convention on the Legal Status of Migrant Workers contains neither the option of an inter-state complaint nor that of an individual complaint. Council of Europe Conventions usually provide for the establishment of advisory committees in order to monitor observance in the contracting states. The experts represented in the committee examine proposals for facilitated implementation or amendments to the Convention and report in regular intervals to the Committee of Ministers on the state of affairs concerning the issues dealt with in the specific Convention.

19 Source: ECHR, 16 September 1996, Recueil 1996-IV. n° 39/1995/545/631.

20 European Social Charter (ESC), Source: on the internet at <http://conventions.coe.int/Treaty/EN/Treaties/Html/035.htm>

EU-Initiatives

Details of important Community legal acts on pages 184 ff., Appendix II

EUROPEAN UNION

Member states of the European Union make a fundamental distinction between third-country nationals and citizens of other EU-countries who, as citizens of the European Union have a right to live and work in all EU-countries as employees or in self-employment, under the same conditions and with entitlement to the same social protection as national workers²¹. The 1957 founding treaty of the European Economic Community already contained provisions to create free movement of workers. Since the 1970ies, free movement has been extended step by step to cover those citizens of Member States who do not engage in gainful employment. At the time, the Community was only just starting to concern itself with the issue of immigration from third countries, in debate and through the first action plan for migrant workers and their family members.

In 1989, the European Council of Heads of State and Government adopted the Community Charter of Fundamental Social Rights²², which called upon Member States to guarantee employees from third countries legally residing in their territories living and working conditions comparable to those of national employees. Nonetheless, cooperation in the field of migration policy remained within the inter-governmental realm. The rights of third-country nationals (meaning citizens of a country that is neither part of the European Union nor part of the European Economic Area²³), who reside in the EU therefore still differ from country to country.

It was not until the Treaty of Amsterdam, concluded in 1997, that essential parts of immigration and asylum policy were transferred from inter-governmental to community cooperation. The political guidelines and objectives for this policy field were formulated at the Summit in Tampere in 1999 and included i.a. the following:

- an integration policy that to the greatest possible extent awards third-country nationals rights and duties that are comparable to those held by the citizens of their country of residence;

21 See title III of the EC treaty (ECT). EU citizens from the new Central and Eastern European countries are currently excluded from this provision because of transitional rules applicable until 2011 at the latest.

22 Community Charter of Fundamental Social Rights, adopted by the European Council (with the exception of the United Kingdom) on 9 December 1989; Source: http://europa.eu.int/eur-lex/pri/en/oj/dat/2000/c_364/c_36420001218en00010022.pdf.

23 European Economic Area (EEA): EU countries + Iceland, Liechtenstein, Norway.

- a more effective management of immigration with the aim of striking a balance between humanitarian and economic immigration²⁴

Tampere brought two aspects to the forefront that had thus far been of rather secondary importance in European migration policy: integration of immigrants and creating links between immigration and asylum policy and other policy fields such as foreign affairs or employment and social affairs.

Since then, the efforts for a common integration policy have gained visible momentum and EU-instruments are increasingly setting the framework for measures taken in the individual Member States²⁵. In order to maintain the delicate balance between understanding the necessity of a common, coherent approach and taking into account national sensitivities, strict provisions were agreed on the one hand, whilst on the other hand national room for manoeuvre, vested rights and deviations continue to be tolerated. Thus, community directives on family reunion and on the status of third-country nationals with a long-term residence permit were adopted, as was the so-called researcher's package, which facilitates admission and residence of qualified researchers from third countries (for further details refer to Appendix II).

Other parts of this development process are important anti-discrimination Directives and a range of stocktaking and strategic programmes and papers by the EU Council of Ministers and the authorities in Brussels, i.a. the documents "Common basic principles for immigrant integration policy in the EU"²⁶, the

24 Tampere, European Council, 15 and 16 October 1999, Presidency Conclusions, Source: on the internet at http://www.europarl.eu.int/summits/tam_de.htm.

25 Those legal acts which can intervene most profoundly in national legal systems are called regulations. These must be applied directly and word by word, meaning that they establish the same legislation in the whole of the European Union and that they apply uniformly and in their entirety in all Member States.

Directives are the most important kind of Community law next to regulations. Unlike regulations, they do not aim for uniformity of legislation but for an approximation of law, thus creating more scope for maintaining national particularities. A directive only binds Member States as to the results to be achieved. National legislators are free to decide on the ways and means to achieve these objectives within the framework of national law. However, assessment of whether the European provisions in question have been implemented in a way that conforms to the interests of the Community will be based on Community law criteria.

In the case that an implementation of the objective laid down in the directive would be advantageous for Community citizens but the necessary national acts for implementation have only been decreed deficiently or not at all, citizens affected may -under certain circumstances- refer to the provisions of the directive and claim the rights they are entitled to in accordance with it, and if necessary seek enforcement before court.

26 Common basic principles for immigrant integration policy in the EU - adopted by the EU Council of Ministers for Justice and Home Affairs on 19 November 2004 (Council Document 14615/04 - Source: <http://register.consilium.eu.int/pdf/de/04/st14/st14615.de04.pdf>):

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.

"Hague Programme for the strengthening of freedom, security and justice"²⁷ which sets the course for the forthcoming years, the Communication by the European Commission on Immigration, Integration and Employment from July 2003²⁸ or the Communication "A Common Agenda for Integration - framework for the integration of Third-Country Nationals in the European Union"²⁹ from September 2005 as well as the Green Paper on Economic Migration³⁰.

The Green Papers published by the EU Commission are put forth as a basis for European debate on the future direction of policy and legislation in each of the relevant subject areas. Even despite much-heralded movement in the right direction, continued discussion is imperative as regards integration and labour

-
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, inter-cultural 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 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.
- 27 Council Communication, Hague Programme on the Strengthening of Freedom, Security and Justice in the European Union, published in: Official Journal of the EU C 53, 03/03/2005, on the internet at <http://europa.eu.int/eur-lex/lex/JOhtml.do?uri=OJ:C:2005:053:SOM:DE:HTML>.
- 28 Communication from the Commission to the Council, the European Parliament, the European Economic and Social Committee and the Committee of the Regions on Immigration, Integration and Employment published as Document COM/2003/336 final, 03/06/2003, Source:http://europa.eu.int/eur-lex/de/com/cnc/2003/com2003_0336de01.pdf.
- 29 Communication from the Commission to the Council, the European Parliament, the European Economic and Social Committee and the Committee of the Regions; A Common Agenda for Integration - Framework for the Integration of Third-Country Nationals in the European Union, published as COM/2005/389 final, 01/09/2005, Source: http://europa.eu.int/eur-lex/lex/LexUriServ/site/de/com/2005/com2005_0389de01.pdf.
In this Communication, the Commission presents a catalogue of guidelines for integration policy for both the European Union and the Member States. The proposed measures are matched with the corresponding Common Principles (see above) in the form of a table.
- 30 Green Paper on an EU-Approach to Managing Economic Migration, 11/01/2005, COM/2004/811 final, Source: <http://europa.eu.int/eur-lex/lex/LexUriServ/LexUriServ.do?uri=CELEX:52004DC0811:DE:HTML>.

migration, which is the most highly regulated sector of EU policy. After all, thus far the European Union and most of its Member States have been following an erratic course, somewhere between realism and opportunism, between opening the gates wide and barring them shut. What is required is modern, community-wide migration management that encompasses the proactive and coherent strategies necessary for coping with the quantitative and qualitative changes presented by international migration movements, while also meeting the needs of our own European future.

Chapter 2: Advice & Support

Business Cards: European Stakeholders - 2.1

It takes more than the power of official rules and documents to make immigration and integration a success. Organised non-governmental support and representation of interests, assistance networks and exchange platforms, a strong lobby and somewhere to turn to for sensitive assistance are at least as important. It is good to see that there is a large number of stakeholders. Their influence ranges from that of local clubs to worldwide federations, their human resource base from local volunteers to global social services, from theoreticians engaged in research to football clubs with a mission, with structures encompassing everything from loose federations to established associations, from public agencies to private foundations. It is as difficult to put a label on them as it would be to categorise life itself.

Some of the stakeholders who are committed to the interests of immigrants, to integration and equality of opportunity, whether in the whole of Europe or in several EU-countries, are presented in the following. They are assigned to the headings:

- Working & Living Conditions
- Anti-Discrimination & Minority Rights
- Anti-Racism & Cultural Diversity
- Refugee Aid & Asylum Policy

This classification is meant to give the reader some orientation without wanting to pigeonhole the individual stakeholders. Their activities intersect and overlap in many areas. Other organisations can be assumed to dedicate at least part of their work to the issues named above but have not reacted to requests for information and could therefore not be presented here. Migrants themselves do not seem to engage in organised action beyond the national level. Apart from a few exceptions, no major European federations or initiatives of migrant associations have become visible thus far.

We would like to expressly thank all those who have contributed with their advice and information to this part of the handbook. We hope that their

business cards facilitate finding contacts, seeking advice and establishing exchange in questions of migration and integration at European level.

Working & Living Conditions

CE - coordination européenne pour le droit des étrangers à vivre en famille

European Coordination for Migrants' Right to a Family Life

The declared aim of this largely volunteer-based association is to lobby for measures at European level to protect the rights of migrants in EU countries to family life. Currently, the Coordination is collecting information on the implementation of EU Directive 2003/86/EC on third-country nationals' right to family reunification (see pages 186-187) and on cases where legal remedies had to be sought in order to fight for this right. The European Coordination was founded in 1994 on the initiative of several French organisations. To date, it comprises 30 NGOs in Belgium, France, Germany, Italy and Spain.

ADDRESS: CE - coordination européenne pour le droit des étrangers à vivre en famille, Riccardo Zoggia, Piazza De Marini 1/24A, 16123 Genoa, Italy, e-mail: coordeurop.secretariat@coordeurop.org, phone: 0039339/2828298, fax: 0039010/218986, internet: <http://www.coordeurop.org>

DECEMBER 18

On December 18 in 1990, the United Nations' General Assembly adopted the International Convention on the Protection of the Rights of All Migration Workers and Members of Their Families. One decade later, the UN decided to declare the Convention's anniversary International Migrant's Day. December 18, an international platform for migrants' fundamental rights, was founded in 1999 as a non-profit organisation under Belgian law. The volunteer members of December 18 are committed to the UN Convention's ratification and enforcement in all countries of the world, they operate a multilingual internet portal on migration issues and campaign for making International Migrant's Day an occasion to honour examples of successful integration and recognise the contribution migrants make to society. Secretariats of two other platforms are located on the premises of December 18: the European Platform for

Migrant Workers' Rights -EPMWR, which was founded in October 2004 in Brussels and brings together ten national and five European organisations, and the International NGO Platform on the Migrant Workers' Convention IPMWC, founded in April 2005 by 12 international human rights organisations.

ADDRESS: December 18, René Plaetevoet, PO Box 22, 9820 Merelbeke, Belgium, phone: 00329/3240092, fax: 00329/3240182, e-mail: rene@december18.net, internet: <http://www.december18.net>

ERLAI - European Network of Regional and Local Authorities on Asylum and Immigration

Many regions and some local authorities from EU countries have representations in Brussels, which follow and support the activities of the European Union, including those in the area of migration policy. To date, 26 of these representations have joined the informal ERLAI network, which was founded in 2003 with the aim to establish an exchange on such pivotal issues as: integration of immigrants, reception of asylum seekers at local and regional level, the EU immigration and refugee policy as well as allocation of European funding for activities in this field. Furthermore, the network wants to contribute to more effective lobbying at European level for the interests of federal states, regions and communities connected with these issues.

ADDRESS: ERLAI Liaison Office, Chiara Rossetti, Coordinator, Regione Emilia-Romagna, 19 Avenue de l'Yser, 1040 Brussels, Belgium, phone: 0032/2/7323090, fax: 0032/2/7363190, internet: <http://www.emiliaromagnasociale.it/wcm/emiliaromagnasociale/home/immigrazione/Erlai/Presentation.htm>, e-mail: erlai@euroinbox.com

EUROCITIES - Network of major European Cities

Founded by six mayors in 1986, the network currently comprises 127 cities in 34 European countries. Eurocities represents the interests of its members in the dialogue with EU-institutions. Spearheaded by Rotterdam, 15 cities from 8 different countries have formed a working group within the Social Affairs Forum which deals with the subject-area of migration and integration. Its

objective is to raise awareness at European and national level for the important role cities play in immigration and integration policy. By stimulating an exchange of opinions and forming an expert network, the group wants to advance innovative strategies for integration at local level and, leveraging its practical experience and using the data it has collected for this purpose, to influence European policy.

ADDRESS: EUROCITIES, Heidi Jakobsen, Social Affairs Forum, Square de Meeûs 18, 1050 Brussels, Belgium, phone: 0032/2/5520888, fax: 0032/2/5520889, e-mail: h.jakobsen@eurocities.be, internet: <http://www.eurocities.org>

European Social Partner Organisations

European employee and employer Federations

The mere fact that migrant workers make up the second largest group of immigrants makes the social partners main stakeholders in the field of migration and integration. Employers and employees alike are directly and increasingly confronted with the issue of foreign workers -be it because they are feared as cheap or highly qualified competition, because some industries cannot do without them (for example seasonal workers), be it with regard to demographic developments or because of production processes within companies that demand cooperation and communication.

It is thus hardly surprising that these issues claim a more and more prominent place on the agenda of European social dialogue and that they play a significant role in the activities of the European employer and employee organisations involved: the multi-sector umbrella-organisations which get together and discuss these issues are the European Trade Union Confederation (ETUC), the Union of Industry and Employer Federations in Europe (UNICE) and the European Centre of Enterprises with Public Participation. In many sectors, additional debate takes place between industrial federations.

ETUC - European Trade Union Confederation

The European Trade Union Confederation brings together 79 national associations from 35 countries and 12 European umbrella-organisations of branch unions. The ETUC can thus claim to represent the interests of approximately 60 million European employees. Its main objective is to combine sustainable economic growth with a continuous improvement of living and working conditions, including full employment, social protection, equality and involving employees in decisions that affect them. Fair and equal treatment of employees with a migration background is part of this objective. The Trade Union Confederation has developed an action plan and it publishes statements and organises seminars as well as conferences on the subject. At the

heart of its demands is the containment of illegal immigration in favour of legal immigration through an EU-wide approach to managing migration flows. Fighting human trafficking is one of the priorities, as are flanking measures in the main countries of origin. The Confederation also calls for sanctions against those employers who exploit the predicament of illegal migrants.

ADDRESS: European Trade Union Confederation, Catelene Passchier, Juliane Bir, Boulevard du Roi Albert II 5, 1210 Brussels, Belgium, phone: 0032/2/22240408, fax: 0032/2/2240454/55, e-mail: cpasschier@etuc.org, jbir@etuc.org, internet: <http://www.etuc.org>

EUROCADRES - Conseil des cadres européens

— Council of European Professional and Managerial Staff

Eurocadres is an associate member of the European Trade Union Confederation. It organises and represents more than 5 million professionals and managers from 23 European countries and also counts 8 branch unions among its members. In order to facilitate professional mobility across borders, Eurocadres has compiled a handbook for trade union officials that is accessible online. Its aim is to provide advice to all those who plan to work abroad, to help identify potential problems and suggest solutions. Relevant internet websites as well as names and addresses of information centres who specialise in the field can also be found in the handbook. In addition, a network of mobility coaches covering all EU-countries was established under the name mobil-net.

ADDRESS: EUROCADRES, Gina Ebner, Boulevard du Roi Albert II 5, 1210 Brussels, Belgium, e-mail: gina.ebner@eurocadres.org, phone: 0032/2/2240731, fax: 0032/2/2240733, internet: <http://www.eurocadres.org>

UNICE - Union of Industrial and Employers' Confederations of Europe

The Union of Industrial and Employers' Confederations of Europe is composed of a total of 39 national associations from 33 countries and regards itself as the voice of businesses in Europe. According to UNICE, these want to see administrative processes streamlined, in order to make it easier for the business community to recruit migrants from third countries for vacancies that cannot be filled due to a lack of qualified applicants. As a representative of employers, the Union does not believe in new European rules for employees'

rights which it considers to be sufficiently covered by existing legislation. UNICE-positions are elaborated within seven subject-related committees, which are in turn subdivided into roughly 70 working groups. One of these permanent groups specifically deals with issues related to influx and integration of migrant workers.

ADDRESS: Union of Industrial and Employers' Confederations of Europe (UNICE), Lorena Aionita, Avenue de Cortenbergh 168, 1000 Brussels, Belgium, phone: 0032/2/22376575, fax: 0032/2/2311445, e-mail: li@unice.be, internet: <http://www.unice.org>

EURO-CIETT - Confédération Européenne des Entreprises de Travail Temporaire

European Confederation of Private Employment Agencies

EURO-CIETT brings together 21 national federations and six major private companies. One of the objectives the association has set itself is to achieve greater recognition for the contribution of private employment agencies to creating jobs and economic growth as well as enhancing the integration into working life of otherwise marginalised groups such as senior workers, persons with disabilities, ethnic minorities and migrants. Around 40% of all persons employed by private employment agencies are members of one of these groups. It is thus hardly surprising that the association wants to promote an adequate legal framework for economic migration -including a suitable regulatory approach to employment of third-country nationals in the EU, not least because of demographic developments.

ADDRESS: Confédération Européenne des Entreprises de Travail Temporaire, Michael Freytag, Avenue du Port 86c, PO Box 302, 1000 Brussels, Belgium, phone: 0032/2/2033803, fax: 0032/2/2034268, e-mail: michael.freytag@ciett.org, internet: <http://www.ciett.org>

CEEP - Centre Européen des Entreprises à Participation publique et des Entreprises d'Intérêt Economique Général

European Centre of Enterprises with Public Participation

The European Centre of Enterprises with Public Participation represents the interests of companies with public sector involvement and those of enterprises of general economic interest, regardless of their legal form. Its several hundred member organisations from 21 different countries are divided into 19 sections. The European Broadcasting Union (EBU, see below) is one of the Federation's members. As an organisation representing public employers in the social

dialogue, the CEEP calls for management of migration movements at European level and requests support for integration of immigrants through introductory programmes for new arrivals and family reunion and in particular through respect in all integration efforts for the different values upheld by migrants and their cultural traditions.

ADDRESS: Centre Européen des Entreprises à Participation publique et des Entreprises d'Intérêt Economique Général, Rue de la Charité 15, bte. 12, 1210 Brussels, Belgium, phone: 0032/2/2192798, fax: 0032/2/2181213, e-mail: ceep@ceep.org, internet: <http://www.ceep.org>

European Foundation for the Improvement of Living and Working Conditions

The foundation for the improvement of Living and Working Conditions, often referred to simply as "Eurofund" is based in Dublin and joined the circle of EU-agencies in 1975. Its mission is to conduct research, and to collect data and information as well as process and disseminate it. Its research activities are divided into the four subject-areas change, industrial relations, living and working conditions. Currently, the research team is investigating the role of regions and cities in the successful integration of immigrants in all relevant areas of daily life. Part of the first phase of the project "Integration of migrants and access to social rights: the role of local authorities" consists of elaborating a concept for a local integration policy and conducting a feasibility analysis on the foundation's plan to build a European network for exchange of experience and innovative approaches to integration policy. The insights gained in practice will serve as a basis for elaborating suggestions that will be incorporated in the development of a European integration policy.

ADDRESS: European Foundation for the Improvement of Living and Working Conditions, Teresa Renehan, Wyattville Road, Loughlinstown, Dublin 18, Ireland, e-mail: Teresa.Renehan@eurofound.eu.int, phone: 003531/2043126, fax: 003531/2826456, internet: <http://www.eurofound.eu.int>

IMISCOE - International Migration, Integration and Social Cohesion in Europe

IMISCOE is an multidisciplinary network for excellence established by 19 research institutions in 11 European countries, encompassing a total of around 350 researchers. It pursues the following three objectives: developing a joint research programme, creating the infrastructure necessary for training researchers and practitioners and setting up a dissemination mechanism for making research results available to the general public and, above all, to decision makers. The issues "work and mobility: education, housing and health protection" "linguistic, cultural and religious diversity" "legal residence, citizenship and political integration" feature among the central questions currently under investigation. Research results are published on the IMISCOE website which includes an online library, in the quarterly newsletter, in the form of working papers, and within the new IMISCOE publication series. The network's office is located at the Amsterdam Institute for Migration and Ethnic Studies.

ADDRESS: IMISCOE, Prof. Rinnus Penninx, IMISCOE Coordinator, Institute for Migration and Ethnic Studies (IMES), University of Amsterdam, Binnen Gasthuis, Oudezijds Achterburgwal 237, 1012 DL Amsterdam, The Netherlands, phone: 003120/5253715, fax: 003120/5253628, e-mail: info@imiscoe.org, internet: <http://www.imiscoe.org>

PICUM - Platform for International Cooperation on Undocumented Migrants

PICUM fights for the recognition of fundamental social rights of irregular migrants in Europe. These rights include fair working conditions, access to health care, housing and schooling for minors. The platform was founded in 2000 by organisations and individuals who provide assistance to immigrants without residence status in European countries. Since 2003, the organisation has dedicated itself to the implementation of an action plan which concentrates on protecting workers without residence permit against exploitation and abuse, and enabling people to protect themselves against such practices. The PICUM report "Ten Ways to Protect Undocumented Workers" i.a. contains contributions by NGOs as well as trade unions.

ADDRESS: PICUM Secretariat, Gaucheretstraat 164, 1030 Brussels, Belgium, phone: 0032/2/2741439, fax: 0032/2/2741448, e-mail: info@picum.org, internet: <http://www.picum.org>

QeC-ERAN - Quartiers-en-Crise - European Regeneration Area's Network

QeC-ERAN's roughly 35 members and associate members are cities and communities who face urgent social problems in some of their neighbourhoods. Within the Association for the Regeneration of Neighbourhoods in Crisis, these develop and implement joint projects for the regeneration of city areas, in order to address multi-dimensional problems. QeC-ERAN attaches particular value to not restricting involvement to political decision-makers and experts but to include residents and to thus strengthen participation of target groups (meaning those population groups who are affected by poverty or unemployment, low levels of education, fragmented families, health problems, migration background etc.). Founded in 1989, QeC-ERAN represents the interests of its members vis-a-vis the European Union i.a. through statements on documents put forward by the EU-Commission, for example the EU-Commission's Green Paper on Economic Migration (see page 164). QeC-ERAN's ambitious aim is the development of a European think tank to provide expertise in the fields diversity, integration, social and economic integration and urban regeneration.

ADDRESS: Quartiers-en-Crise - European Regeneration Area's Network, Haroon Saad, Director, Rue Van Artevelde 80, 1000 Brussels, Belgium, phone: 0032/2/5244545, fax: 0032/2/5244431, e-mail: info@qec.skynet.be, internet: <http://www.qec-eran.org>

SIETAR Europa - Society for Intercultural Education, Training and Research

SIETAR is a multidisciplinary European network of experts, both practitioners and researchers, who work in the field of intercultural cooperation, communication and conflict prevention. Its members are intersectoral SIETAR

organisations in Austria, France, Germany, Great Britain, Ireland, the Netherlands and Turkey who provide professional back-up to their members and are working towards acknowledgement of professional intercultural competence in companies, government authorities, associations and educational institutions. New groups are currently being established in Italy, Greece, Spain, Portugal and Poland. SIETAR Europe organises annual congresses, publishes a monthly newsletter and makes intranet sites available to its members for mutual exchange. It also provides relevant information via its online documentation centre. The activities of SIETAR Europe are integrated in the worldwide SIETAR-network founded in 1974.

ADDRESS: SIETAR Europe, Christine Longé, Domaine de l'Argentière, Bâtiment E, 637 Boulevard de la Tavernière, 06210 Mandelieu la Napoule, France, phone/fax: 00334/92976129, internet: <http://www.sietar-europa.org>, e-mail: office@sietar-europa.org

Anti-Discrimination & Minority Rights

ERRC - European Roma Rights Centre

ERRC has been committed to the rights of Roma in the whole of Europe since 1996. The centre provides professional and financial support to lawyers who represent Roma and takes relevant cases to national and international courts, for example to the European Court of Human Rights in Strasburg, or to the United Nations' Committee for the Elimination of Racial Discrimination, the Committee on the Elimination of Discrimination of Women, the Committee against Torture and the Human Rights Committee. The ERRC has a team of around 20 international employees based in Budapest and also coordinates a network of local observers as well as sending research missions directly to the field. Among the Centre's key activities are: redress and recompensation for victims of racially motivated violent crime and surviving members of their families, combating segregation in schools, implementing comprehensive anti-discrimination legislation, and protecting the rights of Roma women, above all the rights of victims of coerced sterilisation.

ADDRESS: European Roma Rights Centre, Dimitrina Petrova, Executive Director, P.O. Box 906/93, 1386 Budapest 62, Hungary, internet: <http://www.errc.org>, phone: 00361/4132200, fax: 00361/4132201, e-mail: DimitrinaPetrova@errc.org

MPG - Migration Policy Group

In 2005, MPG celebrated its 10th anniversary. The organisation's mission is the stimulation of political debate and promotion of cooperation among stakeholders, in order to advance policy development in the three fields diversity and integration, equal opportunities and non-discrimination, migration and mobility. In 2006, MPG is elaborating recommendations for a benchmarking-system to assess integration policy at the request of the European Parliament. Apart from developing innovative political measures and planning as well as implementing comparative policy research, the group is also involved in the activities of 5 networks - partly acting as a coordinator:

- DPN - Diversity Policies Network (a forum for exchange among European decision makers in politics),
- EMD - European Migration Dialogue (a partnership of non-state institutions and NGOs),
- Equinet - European Network of Specialised Equality Bodies (a European network of agencies committed to implementing the principle of equal treatment)
- European Network of Legal Experts in anti-discrimination (a European network of independent experts in the field of non-discrimination)
- European Supplier Diversity Business Forum (a European forum for diversity in the supply industry).

ADDRESS: Migration Policy Group, Yongmi Schibel, Programme Officer Diversity and Integration, Rue Belliard 250 - Box 1, 1040 Brussels, Belgium, e-mail: yschibel@migpolgroup.com, phone: 0032/2/2304185, fax: 0032/2/22800925, internet: <http://www.migpolgroup.com>

OL/MCM - Online/More Colour in the Media

OL/MCM is a European network of media experts, non-governmental organisations, education institutions and researchers, which operates from its

base in the Netherlands. Online/More Colour was initiated in 1997 in order to enhance the presence of ethnic minorities in the media. The network is based on a foundation whose board of trustees supervises a wide range of different projects in five fields of action (employment and training, intercultural media education and career orientation, programme exchange, support of media for minority groups, empowering audiences from minority groups and the role of researchers with a minority background). Similar to an umbrella-organisation, OL/MCM supports and coordinates further network initiatives for the promotion of minorities in the media. A project that is still in the starting phase is the establishment of a European centre of information and expertise on media, diversity and society.

ADDRESS: Foundation "Online/More Colour in the Media", PO Box 672, 3500 AR Utrecht, The Netherlands, phone: 003130/2399035, fax: 003130/2302975, e-mail: info@olmcm.org, internet: <http://www.olmcm.org>

Social Platform - Platform of European Social NGOs

This platform is formed by around 40 European networks and associations of non-governmental organisations, who in turn represent thousands of different local, regional, national and European organisations, associations and groups. Common to all of them is the aim to create a society in which nobody will be marginalised. They call for more social justice and participatory democracy. An informal working group formed by members of the Social Platform deals primarily with questions related to the integration of migrants. Apart from an exchange of information and expertise among its members, the working group also seeks and maintains a dialogue with the EU-Commission. The Social Platform and some of its members follow and support developments in European migration policy, for example by issuing statements on initiatives, proposals and papers produced by the European Commission. The Social Platform celebrated its 10th anniversary in 2005.

ADDRESS: Social Platform, Simon Wilson, Square de Meeûs, 18, 1050 Brussels, Belgium, phone: 0032/2/5081636, fax: 0032/2/5111909, e-mail: simon.wilson@socialplatform.org, internet: <http://www.socialplatform.org>

UNI-Europa - Union Network International - European Regional Organization

UNI-Europa is composed of 330 individual trade unions and 7 million members from 45 different countries. In the face of increasing manifestations of racism and xenophobia, the European Regional Organisation of Media and Services Trade Unions wants to sensitise its member organisations for these problems. In this context, a survey was conducted among the network's members and in companies in 2003 on experiences regarding measures for combating discrimination. The survey results and other documents on the subject can be downloaded from UNI-Europa's website.

ADDRESS: UNI-Europa, Sabrina De Marchi, Rue de l'Hôpital 31, 1000 Brussels, Belgium, e-mail: [Sabrina.Demarchi@union-network.org](mailto: Sabrina.Demarchi@union-network.org), phone: 0032/2/2345656, fax: 0032/2/22350870, internet: <http://www.union-network.org>

Anti-Racism & Cultural Diversity

EBU - European Broadcasting Union

The focus of activity of the European Broadcasting Union is on negotiating broadcasting rights, organising programme exchanges and stimulating co-productions among the 74 public broadcasters associated to it in 54 European, North African and Middle Eastern countries. With regard to the growing awareness of ethnic diversity in Europe and the resulting conflicts, the EBU is increasingly seeking ways and means to provide support to its members in dealing with the corresponding issues. The forum of choice consists of regular conferences which allow for an exchange of opinions on good practices in radio and TV journalism and provide an opportunity to discuss the impact of migration movements on the structures of TV and radio audiences.

ADDRESS: European Broadcasting Union, Pierre Duret, 17A Ancienne Route, 1218 Grand-Saconnex, Switzerland, phone: 004122/7172411, fax: 004122/7474411, e-mail: [duret@ebu.ch](mailto: duret@ebu.ch), internet: <http://www.ebu.ch>

ECRI - European Commission against Racism and Intolerance

ECRI is a Council of Europe institution and was founded in 1993. The new Statute adopted in 2002 consolidates ECRI's role as an independent monitoring body. The commission is composed of one expert each per Council of Europe Member State. Plenary sessions take place three times a year. The ECRI-secretariat is located at the Council of Europe's Directorate-General for Human Rights. ECRI's tasks include: examining the effectiveness of Council of Europe Member States' legislation and policy for combating racism, xenophobia, anti-Semitism and suggesting additional measures for the local, national and European levels. Apart from elaborating country reports, ECRI also issues recommendations for devising policies on specific issues.

ADDRESS: ECRI, Council of Europe, Directorate General for Human Rights - DG II, Heike Klempa, Avenue de l'Europe, 67075 Strasbourg Cedex, France, phone: 00333/88412000, fax: 0033/388413987, e-mail: combat.racism@coe.int, internet: http://www.coe.int/t/E/human_rights/ecri

EFJ - European Federation of Journalists

Public opinion on migration and integration is influenced substantially by how these issues are presented in the media. It was against this background that in 1995 EFJ, composed of 51 national associations in 33 different countries, established a body that dedicates itself to promoting debate on the subject. The group named "International Media Working Group Against Racism and Xenophobia" brought together representatives of journalist unions and of the research community as well as publishers and instructors to engage in exchange on good practices related to ethnic diversity issues and to promote these. A revival of the group that interrupted its activity for approximately six years is planned for 2006.

ADDRESS: European Federation of Journalists, Oliver Money-Kyrle, International Press Centre, Résidence Palace, Bloc C, Rue de la Loi 155, 1040 Brussels, Belgium, phone: 0032/2/2352204, fax: 0032/2/2352218, e-mail: oliver@ifj.org, internet: <http://www.ifj-europe.org>

ENAR - European Network Against Racism

Founded in 1998, the ENAR network encompasses around 600 non-governmental organisations in EU Member States, including migrants' and minority associations, grassroots-initiatives, religiously oriented groups and trade unions. The ENAR-secretariat in Brussels supports the Movement of Non-Governmental Organisations against Racism in Europe, organises national round-table conferences and coordinates the ENAR-website. ENAR has also taken on secretarial duties for the "Anti-Racism and Diversity Intergroup", re-founded in 2004. This group's aim is to promote cooperation between Members of the European Parliament, political groups, non-governmental organisations, trade unions and other European institutions which are committed to combating racism and promoting equal opportunities.

ADDRESS: ENAR, Maartje Houbrechts, Rue de la Charité 43, 1210 Brussels, Belgium, phone: 0032/2/2293577, fax: 0032/2/2293575, e-mail: info-officer@enar-eu.org, maartje@enar-eu.org, internet: <http://www.enar-eu.org>

EUMC - European Monitoring Centre on Racism and Xenophobia

EUMC is an EU-agency founded in Vienna in 1998. The Monitoring Centre collects and analyses information on racism, xenophobia and anti-Semitism in Europe. It documents their extent, development and manifestations and analyses their causes and effects in order to identify possible approaches for dealing with these problems as well as ways and means for prevention. In its work, the EUMC relies mainly on data provided by national focal points in the EU countries. These focal points are based on networks of diverse composition, for example non-governmental organisations, national expert bodies for the promotion of equal treatment, social partner organisations, human rights institutions or university research centres. Altogether, these form the so-called RAXEN-network (Racism and Xenophobia network).

An extension of the monitoring centre's activities is planned for 2007, when EUMC is to be transformed into the European Union's Fundamental Rights Agency.

ADDRESS: European Monitoring Centre on Racism and Xenophobia (EUMC), Andreas Accardo, Rahlgasse 3, 1060 Vienna, Austria, phone: 00431/580333, 580332, fax: 00431/5803093, e-mail: andreas.accardo@eumc.eu.int, internet: <http://eumc.eu.int>

FARE - Football against Racism in Europe

FARE is a network currently comprising groups in 13 European countries that have made combating racism and xenophobia in football their mission. On the initiative of supporters' groups and with the participation of football associations and players' unions, a conference took place in 1999, during which an action plan against racism and xenophobia was elaborated and the network was founded. FARE fights against whatever kind of discrimination, be it on the playing field, on the spectators' stands, in the changing rooms, at the training ground, in offices or classrooms, whether by fans, players, coaches, administrators or educators.

ADDRESS: Network Coordination: FairPlay - VIDC, Michael Fanizadeh, Markus Pinter, Martina Valdetara, Kurt Wachter, Möllwaldplatz 5/3, 1040 Vienna, Austria, phone: 00431/713359490, fax: 00431/713359473, e-mail: fare@vidc.org, internet: <http://de.farenet.org>, <http://www.fairplay.or.at>

Refugee Aid & Asylum Policy

Caritas Europe

European Association of Catholic Charitable Organisations

Caritas Europe is one of seven regional associations of Caritas Internationalis, the global confederation of catholic social service, relief and development aid organisations. 48 of 162 Caritas associations worldwide are part of Caritas Europe. 34 of these are currently pursuing activities in the field of migration and integration. They provide social and legal advice as well as assistance for the reception of refugees and coordinate programmes for resettlement and voluntary return. On the basis of its member organisations' direct practical experience, Caritas Europe represents their interests vis-a-vis political decision-makers, with the aim of eliminating structural deficits in the social realm. Every year, Caritas Europe organises a "Migration Study Visit" for

employees of its member organisations. The visit offers an insight into the work of a local Caritas organisation and aims at promoting transnational cooperation. Caritas Europe has cooperated with ECRE since 2005 in coordinating an "NGO Network of Integration Focal Points".

ADDRESS: Caritas Europe, Peter Verhaeghe, Migration Officer, Rue de Pascale 4, 1040 Brussels, Belgium, phone: 0032/2/2350396, mobile: 0032/478585433, fax: 0032/2/2301658, internet: <http://www.caritas-europa.org>, e-mail: pverhaeghe@caritas-europa.org

ECRE - European Council for Refugees and Exiles

Founded in 1874, the European Council for Refugees and Exiles is an umbrella-organisation of more than 60 local, national and European member organisations in 29 countries and aims to facilitate cooperation with non-governmental organisations active in refugee aid. ECRE is working towards a generous and humane asylum and refugee policy in Europe. It elaborates recommendations for policy-makers, conducts legal analysis, organises seminars and stimulates exchange of information. Since 1997, ECRE has focused on integration issues, it publishes a "Reception & Integration Newsletter" and issues statements on EU-level legislative developments in the field. ECRE has cooperated with Caritas Europe (see above) since June 2005 in coordinating an "NGO Network of Integration and Focal Points" consisting of 33 non-governmental organisations in 23 countries. Part of the project, supported by the European Commission until August 2006, is an exchange on successful approaches via ECRE's website and the elaboration and dissemination of national integration reports.

ADDRESS: ECRE Secretariat, Berend Jonker, 103 Worship Street, London EC2A 2DF, United Kingdom, phone: 004420/73777218, fax: 004420/73777586, e-mail: Bjonker@ecre.org, internet: <http://www.ecre.org>

PERCO - Platform for European Red Cross Cooperation on Refugees, Asylum Seekers and Migrants

The member organisations of the International Federation of Red Cross and Red Crescent Societies form the largest humanitarian network working to

assist refugees, asylum seekers and migrants worldwide. PERCO was launched in 1997, on the initiative of six national European Red Cross Societies. It serves as a platform for cooperation in activities aimed at improving the situation of refugees and immigrants at national and international level. Today, PERCO creates a framework for national Red Cross Societies in 21 European countries to exchange practical experience, organise seminars and workshops and implement joint activities, orientated towards the specific needs of target groups. Other major activities are: promoting cooperation between the European Red Cross and Red Crescent Societies and elaborating joint recommendations for the representation of interests through the Secretariat-Generals of the national Societies. PERCO has a rotating presidency which will be held by Finland and Austria until the end of 2007.

ADDRESS: PERCO, International Federation of Red Cross and Red Crescent Societies, Europe Department, PO Box 372, 1211 Geneva 19, Switzerland, phone: 004122/7304222, fax: 004122/7330395, e-mail: perco@ifrc.org, internet: <http://www.ifrc.org/perco>

PERCO Board (from the middle of 2006 until the end of 2007):

- **Ann-Charlotte Siren-Borrego, Finnish Red Cross, phone: 003589/1293353, e-mail: ann-charlotte.siren-borrego@redcross.fi**
- **Bernhard Schneider, Austrian Red Cross, e-mail: Bernhard.Schneider@roteskreuz.at, phone: 00431/58900116**

Contact Points in EU countries - 2.2

In accordance with Community Directive 2000/43/EC (application of the principle of equal treatment between persons irrespective of race or ethnic origin, see also pages 195-196), all EU Member States have the duty to designate national bodies for the promotion of equal treatment. These institutions have the task to support victims of discrimination and to conduct surveys and studies on the subject as well as publish independent reports and recommendations.

The following list includes all agencies that have been created by Member States until the end of 2005 and other institutions pursuing a similar range of activities:

AUSTRIA

Anwaltschaft für die Gleichbehandlung
Office for Equal Opportunities

- Anwältin für die Gleichbehandlung ohne Unterschied der ethnischen Zugehörigkeit, der Religion oder Weltanschauung, des Alters oder der sexuellen Orientierung in der Arbeitswelt
Ombudsperson for equal treatment irrespective of racial or ethnic origin, religion or belief, age or sexual orientation in employment and occupation
- Anwältin für die Gleichbehandlung ohne Unterschied der ethnischen Zugehörigkeit in sonstigen Bereichen
Ombudsperson for equal treatment irrespective of racial or ethnic origin in areas other than employment and occupation

ADDRESS: Taubstummengasse 11, 1040 Vienna, phone: 00431/5322868, fax: 00431/5320246, e-mail: gaw@bmgf.gv.at, internet: <http://www.bmgf.gv.at/cms/site/themen.htm?channel=CH0210>

BELGIUM

Centrum voor gelijkheid van kansen en voor racismebestrijding - Centre pour l'égalité des chances et la lutte contre le racisme - Zentrum für Chancengleichheit und für Rassismusbekämpfung
Centre for Equal Opportunities and Opposition to Racism

ADDRESS: Rue Royale 138, 1000 Bruxelles, e-mail: zentrum@cntr.be, phone: 0032/2/2123000, fax: 0032/2/2123030, internet: <http://www.antiracisme.be>

CYPRUS

Γραφείο Επιτρόπου Διοικήσεως

The Office of Commissioner of Administration (Ombudsman)

ADDRESS: Γλάδστωνος/Gladstonos 6, 1095 Λευκωσία/Nicosia, Τηλ/phone: 00357/22456300, Φαξ/fax: 00357/22672881, e-mail: ombudsman@ombudsman.gov.cy, internet: <http://www.ombudsman.gov.cy>

CZECH REPUBLIC

Verejný ochránce práv - ombudsman

Defender of Rights

ADDRESS: Údolní 39, PSC 602 00, 60200 Brno, phone: 00420/542542888, fax: 00420/542542112, internet: <http://www.ochrance.cz>, e-mail: podatelna@ochrance.cz

DENMARK

Institut for Menneskerettigheder - Klagekomitéen for Etnisk Ligebehandling

Institute for Human Rights - Complaints Committee for Ethnic Equal Treatment

ADDRESS: Strandgade 56, 1401 København K, phone: 0045/32698888, fax: 0045/32698800, internet: <http://www.humanrights.dk>, e-mail: klagekomite@humanrights.dk

ESTONIA

Eesti Vabariigi Õiguskantsler

Chancellor of Justice

ADDRESS: Kohtu 8, 15193 Tallinn, phone: 00372/6938400, fax: 00372/6938401, e-mail: info@oiguskantsler.ee, internet: <http://www.oiguskantsler.ee>

FINLAND

Vähemmistövaltuutetun toimisto - Minoritetsombudsmannen

Ombudsman for Minorities

ADDRESS: Mikonkatu 4, 5. Krs/van, PL/PB 34, 00023 Valtioneuvosto/Statsrådet, e-mail: vahemmistovaltuutetun.toimisto@mol.fi, phone: 003589/16047048, fax: 003589/16047002, internet: <http://www.vahemmistovaltuutettu.fi>

FRANCE

Haute autorité de lutte contre les discriminations et pour l'égalité
High Authority on the Fight against Discrimination and for Equality

ADDRESS: **11-15, rue Saint Georges, 75009 Paris, phone: 00331/55316100, fax: 00331/155316149, e-mail: contact@halde.fr, internet: <http://www.halde.fr>**

GERMANY

Die Beauftragte der Bundesregierung für Migration, Flüchtlinge und Integration
German Government Representative for Migration, Refugees and Integration

ADDRESS: **Alexanderplatz 6, 10178 Berlin, phone: 004930/206551835, fax: 004930/206554512, internet: <http://www.integrationsbeauftragte.de>, e-mail: as@bmfjsfj@bund.de**

GREECE

Συνήγορος του Πολίτη
Office of the Greek Ombudsman

ADDRESS: **Χατζηγιάννη Μέξη/Hadjiyanni Mexi St. 5, 11528 Αθήνα/Athens, e-mail: dikaioimatallodapon@synigoros.gr, Τηλ./phone: 00301/7289600, Φαξ:/fax: 00301/7292129, internet: <http://www.synigoros.gr>**

HUNGARY

Nemzeti és Etnikai Kisebbségi Jogok Biztosa
Parliamentary Commissioner for the National and Ethnic Minorities Rights

ADDRESS: **Nádor u. 22, 1051 Budapest, e-mail: panasz@obh.hu, phone: 00361/4757100, fax: 00361/2691615, internet: <http://www.obh.hu>**

IRELAND

An tÚdarás Comhionannais
The Equality Authority

ADDRESS: **Clonmel Street 2, Dublin 2, phone: 003531/4173333, fax: 003531/4173331, e-mail: info@equality.ie, internet: <http://www.equality.ie>**

ITALY

Ufficio Nazionale Antidiscriminazioni Razziali
National Office against Racial Discrimination

ADDRESS: **Largo Chigi 19, 00187 Roma, phone: 003906/67792267, fax: 003906/67792272, e-mail: antidiscriminazioni@pariopportunita.gov.it, internet: http://www.pariopportunita.gov.it**

LATVIA

Valsts Cilvektiesibu Birojs
National Human Rights Office

ADDRESS: **Elizabetes iela 65 - 12, 1050 Riga, phone: 00371/7287210, fax: 00371/7244074, e-mail: vcb@vcb.lv, internet: http://www.vcb.lv**

LITHUANIA

Lygiu galimybiu kontrolieriaus tarnyba
Office of the Equal Opportunities Ombudsperson

ADDRESS: **Pylimo g. 35, 01141 Vilnius, e-mail: mvlgk@lrs.lt, phone: 003705/2612787, fax: 00375/2612725, internet: http://www.lygybe.lrs.lt**

LUXEMBOURG

Commission spéciale permanente contre la discrimination raciale
Permanent Special Commission against Racial Discrimination

ADDRESS: **12-14, avenue Emile Reuter, 2919 Luxembourg, phone: 00352/4783659, fax: 00352/4783672, e-mail: cge.info@fm.etat.lu, http://www.cge.etat.lu**

MALTA

Awtorita' ghat-Trattament Ugwali
National Commission for the Promotion of Equality for Men and Women

ADDRESS: **2 Cavalier Street, Valleta CMR 02, e-mail: gender.equality@gov.mt, phone: 00356/25903850, fax: 00356/25903851, internet: http://www.msp.gov.mt**

NETHERLANDS

Commissie Gelijke Behandeling
Equal Treatment Commission

ADDRESS: Postbus 16001, Kleinesingel 1-3, 3500 DA Utrecht, phone: 003130/8883888, fax: 003130/8883883, internet: <http://www.cgb.nl>, e-mail: info@cgb.nl

POLAND

Biuro Rzecznika Praw Obywatelskich
The Office of the Commissioner for Civil Rights Protection

ADDRESS: Al. Solidarnosci 77, 00-090 Warszawa, phone: 004822/5517700, fax: 004822/8276453, internet: <http://www.brpo.gov.pl>

PORTUGAL

Comissão para a Igualdade e contra a Discriminação Racial
Commission for Equality and against Racial Discrimination

ADDRESS: Rua Álvaro Coutinho 14, 1250-025 Lisboa, phone: 0035121/8106103, fax: 0035121/8106117, internet: <http://www.acime.gov.pt>, e-mail: cicdr@acime.gov.pt

SLOVAKIA

Slovenské národné stredisko pre ľudské práva
Slovak National Centre for Human Rights

ADDRESS: Kýcerského 5, 81105 Bratislava, phone: 00421/257203914, fax: 00421/257203935, e-mail: info@snslp.sk, internet: <http://www.snslp.sk>

SLOVENIA

Urad za enake možnosti
Office for Equal Opportunities

ADDRESS: Trzaška 19/a, 1000 Ljubljana, e-mail: uem@gov.si, phone: 003861/4788460, fax: 003861/4788471, internet: <http://www.uem.gov.si>

SPAIN

El Defensor del Pueblo
Ombudsman

ADDRESS: **Calle Zurbano 42, 28010 Madrid, phone: 003491/4327975, fax: 003491/3081158, internet: <http://www.defensordelpueblo.es>, e-mail: registro@defensordelpueblo.es**

SWEDEN

Ombudsmannen mot etnisk diskriminering
Ombudsman against Ethnic Discrimination

ADDRESS: **Drottninggatan 89, Box 3045, 10364 Stockholm, e-mail: do@do.se, phone: 00468/50888700, fax: 00468/50888750, internet: <http://www.do.se>**

UNITED KINGDOM

Commission for Racial Equality
NORTHERN IRELAND: Equality Commission for Northern Ireland

ADDRESS: **St Dunstan's House, 201-211 Borough High Street, London SE1 1GZ, phone: 004420/79390000, fax: 004420/79390004, e-mail: info@cre.gov.uk, internet: <http://www.cre.gov.uk>**

NORTHERN IRELAND: Equality House, 7 - 9 Shaftesbury Square, Belfast BT2 7DP, phone: 004428/90500600, fax: 004428/90248687, e-mail: information@equalityni.org, internet: <http://www.equalityni.org>

Project Partners - 2.3

This handbook is part of the project "Promoting Equality in Diversity - Integration in Europe", supported by the European Commission, coordinated by the International Labour Organisation and implemented by six partners:

**ILO**

International Labour Organization

The ILO is a UN Specialized Agency focused on promotion of social justice and human and labour rights. The ILO formulates international labour standards, provides technical cooperation and capacity building, supports provision of social protection and promotes independent employers and workers organizations. ILO has facilitated international consensus on regulating labour migration and protecting migrant workers since 1919. Priority activity on migration and integration includes application of international labour standards to all migrant workers, technical cooperation and capacity building for governments and social partners, and facilitating social dialogue on migration. ILO has conducted pioneering research and practical support activity on discrimination, integration and diversity in the context of migration since 1990.

ADDRESS: ILO, Patrick A. Taran, 4 route des Morillons, CH - 1211 Geneva 22, tel. +41 22 799 8091, fax +41 22 799 8836, taran@ilo.org, website: www.ilo.org

**CCME**

Churches' Commission for Migrants in Europe

The members of CCME are primarily protestant, Anglican and Orthodox churches and institutions in 18 European countries. An ecumenical umbrella-organisation and permanent institution, CCME dedicates itself to the issues of integration and migration, refugees and asylum as well as combating racism and discrimination. It also ensures a continuous exchange of information through seminars, studies, conventions, hearings and long-term projects. Furthermore, CCME maintains a political dialogue with the EU institutions and has observer status in the Council of Europe, namely at the European Committee on Migration (CDMG). Apart from engaging in regular exchange

with UN institutions, CCME also cooperates with other ecclesiastical and secular organisations and is a member of the World Council of Churches network.

ADDRESS: CCME, Doris Peschke, Torsten Moritz, 174, rue Joseph II, 1000 Brussels, Belgium, phone: 0032/2/2346800, fax: 0032/2/2311413, e-mail: info@ccme.be, internet: <http://www.ccme.be>

**Europa-Kontakt e.V.**

An association for the promotion of European integration

Europa-Kontakt is based in Berlin and dedicates itself to the promotion of understanding and cooperation in Europe. Making national developments part of the process of European integration and unification is at the fore of the Europa-Kontakt's work. To this end, the association elaborates and distributes information on the policy-fields employment, education, health and social affairs as well as on funding opportunities provided by the EU. It also conducts comparative surveys on European issues in order to promote a perspective which transcends the national sphere and focuses on a larger, pan-European context instead. An archive on the European process of integration is currently under development and will serve to complement and support Europa-Kontakt's activities.

ADDRESS: Europa-Kontakt e.V., Informationsbüro, Swantje Kahlert, Christian Jäger, Breite Straße 29, 10178 Berlin, Germany, phone: 004930/203084070, fax: 004930/203084077, e-mail: eurokontaktinfo@aol.com

**FIERI**

Forum Internazionale ed Europeo di Ricerche sull'immigrazione

FIERI is a research institution operating in the form of an open network. Its aim is to develop multidisciplinary approaches for studies on migration issues. Economists and lawyers as well as demographers, anthropologists, historians, political scientists and sociologists mainly from European Universities, but also from Australian and US institutions, actively contribute to FIERI's activities. The objective is to support the establishment of research groups and to build bridges between the research community and politics on the one hand and the media on the other hand. FIERI is active at regional, national, European and international and is partner of IMISCOE, the network of

excellence on Immigration and Social Cohesion funded by the EU in the context of the Sixth Framework Programme for Research.

ADDRESS: FIERI, Giovanna Zincone (President), Via Ponza 3, 10121 Torino, Italy, phone: 0039011/5160044, fax: 0039011/5176062, internet: <http://www.fieri.it>, e-mail: fieri@fieri.it

**IBEC**

Irish Business and Employers Confederation

IBEC, the umbrella-organisation of Irish business and employers brings together more than 7000 companies and organisations of all sizes and from all sectors. Its most important field of action is that of contributing to political decision making in order to improve the economic environment in Ireland and to represent the interests of its members vis-a-vis the government, authorities, trade unions and other groups. A wide range of issues is covered, from industrial relations and wages to questions of taxation, competition and trade. IBEC develops its positions in consultation with its members, through its own research or in cooperation with external experts. At European level, IBEC is a member of UNICE (see page 69) and maintains its own office in Brussels.

ADDRESS: IBEC, Maria Cronin, Heidi Loughheed, Confederation House, 84/86 Lower Baggot Street, Dublin 2, Ireland, phone: 003531/6051500, fax: 003531/6381500, e-mail: info@ibec.ie, internet: <http://www.ibec.ie>

**ICTU**

Irish Congress of Trade Unions

ICTU, the umbrella-organisation of 56 Irish Trade Unions, represents the interests of approx. 770 000 members in Ireland and Northern Ireland. It negotiates national agreements with the government and with employers, it provides information, advice and training and supports the resolution of disputes between employers and trade unions. Its focus is on economic development and social cohesion whilst at the same time maintaining solidarity, equality and justice. Beyond the national realm, ICTU is also active

at international and European level and is the only Irish representative in the European Confederation of Trade Unions (see page 68).

ADDRESS: ICTU, David Joyce, Frank Vaughan, 31/32 Parnell Square, Dublin 1, Ireland, phone: 003531/8897777, fax: 003531/8872012, e-mail: congress@ictu.ie, internet: <http://www.ictu.ie>

**ZSI**

Centre for Social Innovation

The ZSI wants to bridge the gap between the needs and the potentials of modern information and knowledge society with the help of research and advice. Its objective is to systematically connect research to application of knowledge and thereby to function as a multidisciplinary interface. It also aims to promote socially, economically and ecologically sustainable development and foster European integration by building academic competence and launching practical projects to apply it, whilst at the same time enhancing infrastructures, performance and internationalisation of social sciences in the European Research Area.

ADDRESS: ZSI, August Gächter, Linke Wienzeile 246, 1150 Vienna, Austria, phone: 00431/4950442, fax: 00431/495044240, e-mail: gachter@zsi.at, internet: <http://www.zsi.at>

EU Funding Programmes - 2.4

It is true that integration needs a legal foundation. However, it cannot simply be decreed. It needs bridges and confidence which can best be built from knowledge and experience. The European Union supports programmes that contribute to building such bridges. In the following, you can find an overview of Community programmes from which funding can be raised for projects in the field of migration and integration. The focus is on those programmes which are off to a fresh start with full coffers in 2007. There is a broad spectrum -some programmes are more suitable for associations or schools, for social initiatives or local authorities and others for companies or universities.

Despite the fact that the programmes presented below in categories that reflect their thematic focus are very different in nature, there is a number of basic similarities shared by all Community funding programmes. One of them is the way in which funds are allocated. As a rule, grants can only be applied for once a so-called "call for proposal" has been published, on the internet and often in the EU's Official Journal. These calls for proposals, which, as it were, ring in a new round of applications, specify the sectors and issues for which EU grants may be awarded in a given round of applications, the conditions to be met, data/documents to be submitted as well as deadlines for applications and the agencies where a complete set of application forms and further information is available or to whom applications are to be submitted.

In addition, part of the programme funds is often used for studies, events or public relations. The elaboration, respectively organisation or implementation of these is realised through service agreements and financed entirely from Community funds. Tenders have to be invited in accordance with the rules of public procurement; calls for tender are published in the TED database (tenders electronic daily), accessible free of charge on the internet at <http://ted.publications.eu.int>.

FREEDOM, SECURITY AND JUSTICE

Building an area of freedom, security and justice is one of the main priorities of the EU for the forthcoming years. Funds for promoting this objective are to be increased substantially. Of the three framework-programmes proposed in this area, "Solidarity and Management of Migration Flows", "Fundamental Rights and Justice" and "Security and Safeguarding Liberties", at least the first two are closely connected to issues of migration and integration, whereas the third focuses more on fighting crime and protection against terrorism. That is why the fields of activity of the first two framework programmes will be presented in greater detail in the following.

The fact that 2007 is to be declared the "European Year of Equal Opportunities" for all gives rise to some additional funding opportunities for projects on these issues.

**Framework Programme for Solidarity
and Management of Migration Flows**

Programme Objectives

This framework programme, designed to support further development of the common migration and asylum policy and the establishment of an integrated system for the protection of the EU's external borders, provides for the creation of four separate Community Instruments (funds) in the following policy fields:

- Control and surveillance of external borders and visa policy (external border fund);
- Return of third country nationals residing illegally in the EU (return fund);
- Integration of third-country nationals residing legally in the EU (integration fund);
- Asylum (refugee fund).

Proposed budget for the programme: 5.866 billion EUR.

Duration of the framework programme: 2007-2013, although the return and refugee funds will not start to operate until 2008 because of the duration respectively evaluation of their predecessors.

Funding Opportunities for Migration & Integration Issues —

Among the four funds which will be established to implement the framework programme, it is above all the refugee fund and the integration fund who are of direct interest. They are therefore explained below in greater detail.

Application Rules and Procedures —

The implementation of the framework programme is shared between the European Commission and the Member States. The largest part of the funds is to be used for activities at national level. An average of less than 10% of the available funds is earmarked for Community measures.

All four finance instruments will in principle be subject to an identical set of rules: There are two major programme cycles, 2007 until 2010 and 2011 until 2013. Member states have to draft two multi-annual programmes for each of the funds and each of the two cycles and gain approval for these programmes in Brussels. The plans are subsequently fine-tuned in the form of annual programmes. The practical implementation of all this is taken care of by so-called competent authorities to be designated by each Member State. These are also responsible for publishing calls for proposals and calls for tender as well as selecting the projects to be supported.

Contact —

European Commission, Directorate General Justice, Freedom and Security, Directorate B - Immigration, Asylum and Borders, Jean-Louis De Brouwer, Director, 1049 Brussels, Belgium, phone: 0032/2/2961964, e-mail: jean-louis.de-brouwer@cec.eu.int, fax: 0032/2/2958401, internet: http://europa.eu.int/comm/justice_home/funding/intro/funding_intro_de.htm

- Unit B/1 - Borders and Visa, Joannes De Ceuster, Head of Unit, phone: 0032/2/2961072
- Unit B/2 - Immigration and Asylum, Nicola Anecchino, Head of Unit, phone: 0032/2/2961870
- Unit B/4 - Financial Solidarity for Asylum, Immigration and Borders, Muriel Guin, Head of Unit, phone: 0032/2/2960013

**European
Refugee Fund****Programme Objectives**

The European Refugee Fund (ERF) was the first financial instrument created by the EU to achieve a more balanced distribution between Member States of the burdens connected with receiving refugees and displaced persons and with the consequences of their receipt, as well as for supporting EU-countries' efforts in this field through co-financing. Established in 2000, the duration of the European Refugee Fund (ERF) was extended in 2005 by a further 6 years to cover the period until 2010. The first half of the second ERF-phase thus runs until the end of 2007. Starting with the second half, the rules of the Framework Programme for Solidarity and Management of Migration Flows will take effect and the refugee fund will be synchronised with the other funds of the programme. ERF funds can be used for measures related to the following target groups: all third-country nationals or stateless persons

- who have a status as defined in the Geneva Refugee Convention of 1951 and its protocol of 1967 and are permitted to reside in one of the EU states;
- who are enjoying a form of subsidiary protection within the meaning of Council Directive 2004/83/EC;
- who have applied for one of the forms of protection in accordance with the two points named above;
- who enjoy temporary protection within the meaning of Directive 2001/55/EC.

Funding Opportunities for Migration & Integration Issues

Grants are awarded for activities in Member States (over 90% of ERF funds) as well as measures at Community level. Despite differences in the concrete activities that are co-financed by the fund in individual Member States, the general conditions are defined by Community rules. In accordance with these provisions, measures in Member States are eligible for funding if they cover one or more of the following subject-areas:

- Reception conditions and asylum procedures
 - Accommodation infrastructures or services.
 - Provision of material aid and medical or psychological care.
 - Social assistance, information or help with administrative formalities.
 - Legal aid and language assistance.

- Education, language training and other initiatives which are consistent with the status of the person.
- Support services such as translation/training to help improve reception conditions and the efficiency and quality of the asylum procedures.
- Information for local communities who will be interacting with those being received in the host country.
- **Integration of persons whose stay in the Member State is of a lasting and stable nature**
 - Advice/assistance in areas such as housing, means of subsistence, integration into the labour market, medical, psychological and social care.
 - Actions enabling recipients to adapt to the society of the Member State in socio-cultural terms, and to share the values enshrined in the Charter of Fundamental Rights of the European Union.
 - Actions to promote durable and sustainable participation in civil and cultural life.
 - Actions focusing on education, vocational training, recognition of qualifications and diplomas.
 - Actions designed to promote self-empowerment and to enable these persons to provide for themselves.
 - Actions that promote meaningful contact and constructive dialogue between these persons and the receiving society, including actions which promote the involvement of key partners such as the general public, local authorities, refugee associations, voluntary groups, social partners and the broader civil society
 - Measures to support the acquisition of skills by these persons, including language training.
 - Actions that promote both equality of access and equality of outcomes in relation to these persons' dealing with public institutions.
- **Voluntary return**
 - Information and advisory services concerning voluntary return initiatives or programmes, on the situation in the country of origin or former habitual residence.
 - General or vocational training and help with reintegration.
 - Actions by communities of origin resident in the European Union to facilitate voluntary return.
 - Actions which facilitate the organisation and implementation of national voluntary return programmes.

In addition to measures in Member States themselves, certain activities of transnational character or of interest to the Community as a whole may be financed by the ERF. Activities are eligible if they concern the following areas:

- The furthering of Community cooperation and implementation of Community law and good practices.
- Support for the setting-up of transnational cooperation networks and pilot projects based on transnational partnerships.

- Support for transnational awareness-raising campaigns/sensitising measures.
- Support for studies and for dissemination and exchange of information, including the use of modern technologies, on best practices and all other aspects of the Fund.
- Support for pilot projects and research on new types of cooperation within the EU and on Community law in this area.
- Support for the development of statistical instruments, methods and common indicators.

Furthermore, ERF finances emergency measures in case of need.

Application Rules and Procedures —

The awarding of ERF grants is coordinated:

- largely by the authority designated by the Member State in question (Denmark being the only EU-country that does not participate in ERF funding);
- for certain innovative measures or measures in the interest of the Community by the European Commission itself. Please note: cross-border cooperation networks or pilot projects require the participation of institutions from at least two different Member States.

European Fund for the Integration of Third Country Nationals

Programme objectives —

The Integration Fund's task is to support Member States in their efforts to enable third-country nationals with different cultural, religious, linguistic and ethnic backgrounds to settle and actively participate in all areas of the receiving society. The target group consists of those third-country nationals who:

- have obtained an authorisation issued by the authorities of a Member State to stay legally on its territory (excluding third-country nationals or stateless persons who qualify as refugees or are eligible for subsidiary protection in accordance with Directive 2004/83/EC);

- who, with a view to obtaining an authorisation issued by the authorities of a Member State to come and stay legally on the Member State's territory are complying with specific pre-departure conditions set out in national law, including those relating to the ability to integrate in the society of this Member State.

Funding Opportunities for Migration & Integration Issues

Complementing the possibilities offered by the European Social Fund (see pages 120 ff.), the European Integration Fund is to be used in Member States (for whom 90% of the funds are earmarked) and at Community level to support actions for integration of third-country nationals which receive no support from the ESF.

In Member States, activities with the following aims are eligible for funding:

- Facilitation of the organization and implementation of admission procedures for migrants
 - Facilitating the development of admission procedures by Member States.
 - Render the implementation of such procedures more effective and accessible to third-country nationals.
 - Prepare third-country nationals admitted for their integration into host society in a better way by supporting pre-travel measures such as information packages and comprehensive civic orientation courses in the country of origin.
- Contribution to the organisation and implementation of introduction programmes and activities for third-country nationals aiming at introducing newly arrived immigrants to the host society and enabling them to acquire basic knowledge about the host society's language, history, institutions, socio economic features, cultural life and the fundamental norms and values
 - Develop and improve the quality of introduction programmes and activities for newly arrived immigrants at local and regional level, with particular emphasis on civic orientation.
 - Targeting of introduction programmes towards specific groups (children, women, elderly, illiterate persons etc.)
 - Increase the flexibility of introduction programmes and activities related to civic orientation .
 - Develop and implement introduction programmes or activities related to civic orientation, targeting at young third-country nationals, in particular "late arrivals" with specific problems related to identity issues or criminal involvement.
- Increase of civic, cultural and political participation of third-country nationals in the host society, and improve dialogue between different groups of third-country nationals, the government and civil society

- Contribute to the development of inter-faith and religious dialogue platforms between communities and/or policy and decision-making authorities.
- Increase third-country nationals' civic participation and their role as active citizens.
- Contribute to an enhanced civic participation of particular groups of third-country nationals (children, women, elderly, illiterate persons etc.).
- Support within the political decision making process of the Member States for the development of national, regional and local advisory platforms for consultation of third-country nationals and exchange of information between all stakeholders.
- Increasing third-country nationals' participation in local elections and democratic processes.
- Contribute to the elaboration and improvement of national preparatory citizenship and naturalisation programmes.
- **Strengthening the capacity of the Member States' service providers to interact with third-country nationals and the organisations representing them and to answer in a better way the needs of different groups of third-country nationals, including women and children**
 - Render more accessible service providers for third-country nationals by providing inter alia intercultural interpretation and translation services, mentoring programmes, intermediary services by representatives of communities etc.
 - Develop and update comprehensive information tools, such as manuals and websites
 - Build sustainable organisational structures for integration and diversity management and to develop models of cooperation between different governmental stakeholders.
 - Reinforce the capacity to coordinate national integration strategies for third-country nationals at national level across different levels of government.
 - Introduce and implement schemes to gather and analyse information about the needs of different categories of third-country nationals at local and regional level.
- **Strengthening the ability of the host society to adjust to increasing diversity by targeting actions at the host population**
 - Promote knowledge within the host society of the contents and consequences of the introduction programmes, activities and admission programmes and interaction thereon with public and private service providers, employers, including small and medium sized companies (SMEs), educational and other institutions.
 - Increase the acceptance of migration and admission programmes in the host society.
 - Contribute to the organisation and promotion of (large) intercultural popular events reaching out to specific target groups or the public at large.
 - Promote the dialogue and exchanges between (youth) organisations of different cultures.

- Increase advocacy of integration issues.
- Increase involvement of third-country nationals in the development of society's responses to migration.
- Increase the role of private bodies in promoting and managing diversity.
- Increase the capacity of Member States to develop, monitor and evaluate integration policies for third-country nationals
 - Enhance the capacity to collect, analyse and disseminate statistics on integration of third-country nationals and integration policies.
 - Contribute to the evaluation of immigration and integration policies for third-country nationals (including indicators and benchmarking).
 - Develop high quality tests and evaluation schemes for compulsory integration programmes.
 - Contribute to the evaluation of admission procedures or introduction programmes.


Apart from activities in Member States, grants are also awarded to a limited extent to Community measures for immigration and integration policy which must be transnational in character and in the interest of the EU as a whole. In order to be eligible, initiatives must focus on:

- Further cooperation within the EU in implementing Community law and good practices.
- Support for the setting-up of transnational cooperation networks and pilot projects based on transnational partnerships.
- Support for transnational awareness-raising measures.
- Support for studies, dissemination and exchange of information.
- Support for pilot projects and studies exploring new forms of Community cooperation and on Community law in this area.
- Support for the development of statistical tools, methods and common indicators.

Application Rules and Procedures —

Applications for grants from the Integration Fund are to be directed:

- largely to the authority designated by the Member State (Denmark being the only EU-country that does not participate in the fund);
- in the case of Community measures directly to the EU-Commission. Please note: transnational cooperation networks require the participation of institutions from a minimum of 3 Member States.

**Framework Programme
"Fundamental Rights and Justice"****Programme Objectives**

The EU framework programme "Fundamental rights and justice" with its four individual programmes -fight against violence and drugs, fundamental rights and Union citizenship, criminal justice and civil justice- covers a broad range of objectives. These include, along with support for judicial cooperation: coordinated action against racism, xenophobia and anti-Semitism through intensive promotion of inter-religious, multicultural dialogue and a reinforced protection of the right to physical integrity through fighting all kinds of violence, drug abuse and drug trade.

Proposed programme budget: 543 million EUR.

Funding Opportunities for Migration & Integration Issues

Among the four specific programmes, the following two in particular offer a number of possible starting points:

- Fight against violence (DAPHNE) and drugs prevention and information.
- Fundamental rights and Union citizenship.

Financial support is granted for three kinds of activities:

- Specific actions taken by the European Commission
These are for example studies and research work; opinion polls and surveys, formulation of indicators and common methodologies; collection, development and dissemination of data and statistics; seminars, conferences and expert meetings, organisation of public campaigns and events; development and maintenance of websites; preparation and dissemination of information material, support for and organisation of national expert networks.
- Specific transnational projects of Community interest
- Activities of non-governmental organisations or other entities which pursue an aim of general European interest within the framework of the general conditions set out in the programme.

Application Rules and Procedures

Project requirements:

All specific programmes exclusively finance projects which generate European added value, which is assessed with the help of common evaluation criteria. Moreover, specific transnational programmes will be supported only if submitted by a minimum of 3 Member States.

Application and selection process:

All specific programmes are managed directly by the European Commission. The application procedures and awarding of funds are thus not executed via national authorities but directly by the authorities in Brussels. What projects exactly will be financed under what conditions is determined in the annual work programmes which set out the priority subjects for each year.

Community resources are allocated in the form of grants and through public procurement. Grants are awarded on the basis of calls for proposals, accompanying measures will be put out to tender.

Contacts

European Commission, Directorate General Justice, Freedom and Security, Directorate C - Civil Justice, Fundamental Rights and Union Citizenship, Francisco Fonseca Morillo, Director, 1049 Brussels, Belgium, phone: 0032/2/2956845, internet: http://europa.eu.int/comm/justice_home/funding/intro/funding_intro_de.htm

- Unit C/1 - Civil Justice, Mario Paulo Tenreiro, Head of Unit, phone: 0032/2/2951367
- Unit C/2 - Coordination of Anti-Drugs Policy, Carel Edwards, Head of Unit, phone: 0032/2/2959538
- Unit C/3 - Union Citizenship and Fundamental Rights, Alain Brun, Head of Unit, phone: 0032/2/2965381
- Unit C/4 - Financial Support for Justice, Rights and Union Citizenship, Lina Papamichalopoulou, Head of Unit, phone: 022986493

**Programme for the Fight against Violence (DAPHNE)
and Drugs Prevention and Information**

Programme Objectives —

The programme's aim is to contribute to the prevention of and fight against all kinds of violence against children, the young, and women as well as support drugs prevention and information. It is directed towards all groups that are directly or indirectly involved with issues related to violence or drugs.

In combating violence, the main target groups are victims of violence and persons vulnerable to it. Other target groups are teachers, pedagogical staff, police officers and social workers, employees of local and national authorities, medical and paramedical personnel, law enforcement personnel, employees of non-governmental organisations, trade unions and religious communities. In the field of violence prevention, therapy schemes for both victims and perpetrators will be considered as well.

In the fight against drugs, young people, persons at risk of drug use, and persons from neighbourhoods with social problems are the most vulnerable, which makes them relevant target groups. Other target groups include i.a. pedagogical staff and teachers, social workers, employees of local and national authorities, medical and paramedical staff, law enforcement personnel, NGO employees, trade unions and religious communities.

Funding Opportunities for Migration & Integration Issues —

Activities are eligible for support if their objectives include:

- Prevention and combating of all kinds of violence against children, young people and women in either the public or the private sphere (support for NGOs, awareness-raising measures etc.).
- Promotion of transnational actions for building multi-disciplinary networks, extending the knowledge base, exchange of experience, identifying and disseminating good practices, awareness-raising among target groups, investigating violence-related phenomena as well as raising awareness for health and social problems caused by drug use.
- Involvement of civil society in the implementation and further development of a drug strategy and EU action plans.

Application Rules and Procedures

Project requirements:

Problems to be addressed within this programmes must have a transnational aspect. For example, specific transnational projects will receive funding only if they are submitted by at least 3 Member States.

Application and selection process:

The programme is open for participation of public and private organisations and institutions (local authorities, university departments and research centres) active in relevant areas.

Depending on the kind of funding -whether public procurement or grants- the Commission will publish announcements for calls for tender via the TED online service at <http://ted.publications.eu.int> or calls for proposals on the internet website of the Directorate General for Justice, Freedom and Security at

http://europa.eu.int/comm/justice_home/funding/intro/funding_intro_de.htm.

The programme "Fundamental rights
and Union Citizenship"

Programme Objectives

This programme aims at promoting a European society based on respect for the fundamental rights laid down in the EU's Charter of Fundamental rights and at strengthening civil society as well as combating racism, xenophobia and anti-Semitism. It targets EU citizens, third-country nationals who reside legally in the Community and civil society organisations committed to the promotion of the objectives of this programme.

Funding Opportunities for Migration & Integration Issues

The programme focuses on the following objectives:

- Promotion of the Charter of Fundamental Rights and educating citizens about their rights.
- Regular evaluation of the fundamental rights situation in the EU and its Member States within the scope of Community law and, if necessary, requesting of statements on specific questions.

- Highlighting the consequences of the integration of the Charter of Fundamental Rights into the EU constitution and of the EU's accession to the European Human Rights Convention.
- Supporting NGOs and other structures of civil society.
- Promoting peace and fundamental rights, particularly through inter-religious multicultural dialogue.

Application Rules and Procedures —

Eligible for the programme are: public or private organisations and institutions, research institutions, NGOs, authorities at national, regional and local level, international organisations and other non-profit organisations based in the EU.

Application and selection process:

As regards the awarding of grants, calls for proposals will be published by the Directorate General Justice, Freedom and Security on its website at <http://europa.eu.int/comm>

[/justice_home/funding/intro/funding_intro_de.htm](http://europa.eu.int/comm/justice_home/funding/intro/funding_intro_de.htm). For programme parts implemented through public procurement, calls for tender are announced on the internet via the EU information service TED at <http://ted.publications.eu.int>.

 2007 - European Year of
Equal Opportunities for all

Programme Objectives —

European Years are no funding programmes in the conventional sense, nonetheless, the budgets that are available for them i.a. serve to support activities at EU and Member State level. The European Year 2007 is to raise awareness among the public for the need to develop and support strategies and initiatives which strengthen social participation of groups that are underrepresented in the society and for the fact that everybody is entitled to equal treatment, regardless of their sex, race, ethnic origin, religion, ideology, disability, age or sexual orientation.

Funding Opportunities for Migration & Integration Issues

The focus of the European Year 2007 will be on raising awareness for EU provisions on equal treatment and non-discrimination, and on acknowledging and appreciating diversity as a value as well as promoting social coherence. Moreover, the European Year aims to bring together persons or groups with the objective of promoting and disseminating the values on which equal treatment and anti-discrimination are based and reducing stereotypes and prejudices. Grants are also awarded to projects at European level but primarily to initiatives in the Member States. However, out of a total of 13.6 million EUR proposed, 4.5 million are already earmarked for an EU-wide information campaign. Initiatives eligible for funding are:

- At EU level, conventions and events are to be financed as well as i.a. the information campaign mentioned above and actions to disseminate the results of the European Year, European competitions, initiatives for cooperation with companies and, in particular, the media, as well as Community-wide surveys and studies.
- At local, regional and national level, conventions and events promoting the objectives of the European Year are eligible for grants, as are information campaigns for the dissemination of fundamental principles and values of the EU, cooperations -specifically with companies, broadcasters and other media as well as surveys and studies.

Application Rules and Procedures

- Community measures
The financing of these measures is organised directly by the EU-Commission, either through grants for projects submitted to Brussels on the basis of calls for proposals or through the procurement of goods and services, for which purpose calls for tender will be published via TED at <http://ted.publications.eu.int> for the whole of Europe.
- Local, regional and national measures
There will be one national coordination agency responsible for organising participation in the European Year in each Member State. The allocation of EU-funds will be organised by so-called intermediary agencies in the individual countries who also coordinate the publication of calls, the

selection of projects and the awarding of grants (a maximum of 50% of the eligible cost of a given action).

Contact —

European Commission, Directorate General Employment, Social Affairs and Equal Opportunities, Unit D/3, Anthony Lockett, 1049 Brussels, Belgium, phone: 0032/2/2994336, fax: 0032/2/2951899, e-mail: empl-antidiscrimination@cec.eu.int, internet: http://europa.eu.int/comm/employment_social/fundamental_rights/index_de.htm, http://europa.eu.int/comm/employment_social/fundamental_rights/eyeo/ey_de.htm (for the European Year -the national contact bodies to be designated in 2006 will be published on this website, as well) http://europa.eu.int/comm/employment_social/emplweb/tenders/index_de.cfm (for calls for proposals)

ACTIVE CITIZENSHIP AND YOUNG PEOPLE

In essence, the programme presented under this header is all about citizens' active participation in European developments. Young people have got an extra programme, whereas other EU initiatives with the same objective will be pooled in the Community programme "Citizens for Europe", to be launched in 2007. This programme will comprise a range of very different lines of action, including town twinnings, for example.

The programme "Citizens for Europe" for the promotion of an active European Citizenship

Programme Objectives —

The programme "Citizens for Europe" aims to strengthen cooperation between citizens and their organisations from different countries and wants citizens to meet, act together and develop their own ideas in a European environment which goes beyond the limits of national perspectives and respects diversity. On a transnational basis, the programme aims at

- Bringing together people from local communities in the whole of Europe in order to give them the opportunity for an exchange of experience, opinions and values and enable them to make use of these together;
- Promoting activities, discussions and considerations on European citizenship at European level;
- Making the European idea more tangible for the citizens;
- Promoting a balanced integration of citizens and civil society organisations and thus contributing to intercultural dialogue as well as emphasizing both Europe's diversity and its unity (activities implemented in cooperation with new Member States enjoy special attention).

Proposed programme budget: 235 million EUR.

Funding Opportunities for Migration & Integration Issues —

The programme offers a range of different instruments for the implementation of its objectives and supports various kinds of projects:

- Action 1: Active Citizens for Europe
 - Town Twinnings
 - Citizens' projects and flanking measures
- Action 2: Active civil society for Europe
 - Structural support for research institutions (think tanks) working on European public policy and for Europe-wide civil society organisations.
 - Support for initiatives by civil society organisations who involve citizens through discussions, publications and other concrete transnational projects or represent their interests.
- Action 3: Together for Europe
 - High visibility events which involve the European peoples in intercultural dialogue and contribute to the evolution of a European identity.
 - EU-Commission studies, surveys and opinion-polls.
 - Information and dissemination tools, for example internet-portals.

Application Rules and Procedures —

Project requirements:

All activities must take place on a transnational basis. Special attention is given to the involvement of citizens and organisations from new and future EU Member States in transnational projects and networks.

Application and selection process:

The programme is open to all stakeholders promoting active European citizenship, above all local communities, research institutions active in the area

of European public policy, citizen's groups and platforms, networks, federations and associations, trade unions etc.

As a rule, funding is to be allocated mainly on the basis of calls for proposals, as an operating or project-related grant. Support in the form of awarding public tenders (for example for studies and research) will be an exception.

In general, programme administration works as follows:

Strategic activities are to be coordinated directly by the European Commission, whereas minor projects, especially those organised within the framework of town twinnings and civil society projects are administrated by the Executive Agency (see contact). In specific cases and with regard to certain countries, the EU-Commission may transfer responsibility for programme administration to national institutions.

Contact —

European Commission, Directorate General Education and Culture, Unit D/4 - Civil Society: Partnerships and Visits, Risto Raivio, acting Head of Unit, Rue Van Maerlant 18 (VM18), 1049 Brussels, Belgium, phone: 0032/2/2951311, fax: 0032/2/2994577, e-mail: eac-soc-civile@cec.eu.int, internet: http://europa.eu.int/comm/dgs/education_culture/activecitizenship/index_de.htm, http://europa.eu.int/comm/towntwinning/call/call_de.html (for town twinnings)

Education, Audiovisual and Culture Executive Agency - EACEA, Unit P7 - Civil Society, Marc Jorna, Rue Colonel Bourg 135-139, 1140 Brussels, Belgium, e-mail: eacea-info@cec.eu.int, phone: 0032/2/2330111, fax: 0032/2/2330150, internet: <http://eacea.cec.eu.int/static/en/citizenship/index.htm>



The programme
"Youth in Action"

Programme Objectives —

This programme with its focus on people aged 13 to 30 addresses young people, youth groups, youth workers, youth organisations and other stakeholders in the youth sector. It aims at contributing to

- Promoting active citizenship of young people in general and European citizenship in particular;
- Developing solidarity among the young, specifically in order to strengthen social cohesion in the EU;
- Promoting mutual understanding among peoples through youth;
- Improving the quality of systems supporting the activities of young people and the competences of civil society organisations in the youth sector;
- Promoting European cooperation in youth policy.

Proposed programme budget: 915 Mio. EUR.

Funding Opportunities for Migration & Integration Issues

The programme is divided into five actions:

- **Action 1: Youth for Europe**
This field of activity promotes youth exchange, projects set up by young people and activities for participation in democratic processes.
- **Action 2: European volunteer service**
Support is granted for individuals performing volunteer service outside their home country as well as for projects enabling groups of young volunteers to participate together in European-wide or international activities in the fields of culture, sports, civil protection, environment, development aid etc.
- **Action 3: Youth for the world**
This activity allows for an opening of the programme for projects with neighbouring countries and regions, both old and new (Algeria, Belarus, Egypt, Israel, Jordan, Lebanon, Moldova, Morocco, The Palestinian National Authority, Russia, Syria, Tunisia, Ukraine) and for cooperation in the youth sector with other third countries.
- **Action 4: Youth workers and support systems**
This action focuses above all on supporting institutions that are active on a Europe-wide scale and on interconnecting them, on exchange and training as well as networking among youth workers, enhancing innovation and quality of measures, informing young people and building the structures necessary to achieve the objectives of the programme.

- **Action 5: Supporting political cooperation**

The objective is the promotion of European cooperation in the youth sector through cooperation with international organisations such as the Council of Europe or the UN, supporting activities that serve to improve understanding and knowledge in the youth sector as well as valorisation through seminars and other conventions.

Application Rules and Procedures

Project requirements:

It is expected that special provisions be made for young people who have difficulties in participating in the programme because of education, social, physical, economic, cultural or geographic reasons.

Application and selection process:

Implementation of the programme is largely decentralised. Centralised projects are coordinated by the Education, Audiovisual and Culture Executive Agency or directly by the European Commission. However, the bulk of the programme is managed by national agencies in the programme countries which either already exist or will be set up for this purpose (see below).

There will be calls for proposals for some support measures, but for most areas there will be fixed deadlines for submitting applications.

Contacts

European Commission, Directorate General Education and Culture, Unit D/2 - Youth Programme, Pierre Mairesse, Jens Mester, Rue Van Maerlant 2 (VM-2), 1049 Brussels, Belgium, phone: 0032/2/2962009, 2963973, fax: 0032/2/2994038, internet: http://europa.eu.int/comm/youth/program/index_en.html

Education, Audiovisual and Culture Executive Agency - EACEA, Unit P6 - Youth, Philippe Cova, Rue Colonel Bourg 135-139, 1140 Brussels, Belgium, e-mail: eacea-info@cec.eu.int, phone: 0032/2/2330111, fax: 0032/2/2330150, internet: http://eacea.cec.eu.int/static/en/overview/Youth_overview.htm

EDUCATION, TRAINING AND LANGUAGES

As of 2007, the main instrument of Community funding in the areas of education and training will be an integrated programme which continues essential parts of current EU-action in the field in the form of 6 individual but more strongly interconnected programmes. Subsidies and scholarships will serve mainly to strengthen exchange, cooperation and mobility of learners as well as educators and administrators. From 2009 onwards, the third country cooperation programme Erasmus Mundus will also be incorporated into the action programme as another individual programme.

Furthermore, the competition for the European Language Label described below is ideally suited to promote intelligent ideas for teaching and acquiring language skills that at the same time enhance integration.

Integrated Action Programme in the Field of Life Long Learning

Programme Objectives

The integrated action programme will comprise

- 4 sectoral programmes (Comenius, Erasmus, Leonardo, Grundtvig),
- one transversal programme and
- the Jean Monnet programme.

Proposed programme budget: 13.62 billion EUR.

Funding Opportunities for Migration & Integration Issues

Within the framework of the integrated programme and its individual programmes, the following actions which may be of interest for migration and integration projects are eligible for funding:

- mobility of people (grants and scholarships are awarded for example for student and teacher exchange, study stays abroad and internships in companies in other countries);
- bilateral and multilateral partnerships (for example school partnerships);
- multilateral projects for the improvement of national systems of general and professional education and training;
- unilateral and national projects;

- multilateral networks;
- observation and analysis of policies and systems in the field of life long learning, establishment of reference material, promoting transparency, recognition of qualifications and prior learning as well as promoting cooperation in quality assurance;
- operating grants for co-financing of certain operational and administrative costs of relevant organisations;
- other measures in line with the objectives of this programme.

The individual programmes are orientated towards specific education sectors and target groups or are dedicated to certain cross-sectoral subjects, as is the case for the transversal programme. The individual programmes are:

- Comenius

The Comenius-programme is aimed at persons involved in pre-school and school education up to the end of upper secondary education (pupils, teaching, support and administrative staff within the schools), at associations and representatives of those involved in school education, at public and private institutions and organisations offering relevant education as well as research centres concerned with lifelong learning.

- Erasmus

Erasmus is aimed at formal higher education and advanced vocational education and training, irrespective of the duration of the programme and including doctoral studies.

- Leonardo da Vinci

Leonardo is orientated towards vocational training -including initial and continuing vocational education and training but excluding tertiary level vocational training- and towards institutions and organisations offering relevant training programmes.

- Grundtvig

This programme addresses teachers and learners in adult education of all kinds as well as institutions and organisations offering or supporting relevant training courses.

- Transversal programme

The transversal programme focuses on 4 priorities:

1. Political cooperation in the field of lifelong learning
2. Promotion of language learning
3. Development of innovative ICT-based content, services, pedagogic approaches and processes for lifelong learning
4. Dissemination/implementation of programme results, exchange of good practices.

- **Jean Monnet Programme**

This programme is to contribute to an adequate recognition of the subject of European integration in academic research and teaching, i.a. through the financing of Jean Monnet Chairs. Support is also given to institutions and associations who concern themselves with questions of European integration, European prospects in general, or with vocational training and education.

Application Rules and Procedures —

Parts of the action programme and of the individual programmes respectively are managed directly by the EU-Commission in Brussels or by the Executive Agency acting on its behalf. However, the largest share is coordinated by national agencies in the Member States. Applications for funding are to be submitted to them and they are partially responsible for the selection of projects to be supported. In addition, they provide advice to applicants and agencies running the projects.

Contacts —

European Commission, Directorate General Education and Culture, 1049 Brussels, Belgium, internet: http://europa.eu.int/comm/education/programmes/newprog/index_de.html, e-mail: eac-np@cec.eu.int

Contact persons for the different programmes are at present:

- Unit B/3 - Comenius - Grundtvig, Armin Bosch (Head of Unit), phone: 0032/2/2991295
- Unit B/4 - Erasmus - Jean Monnet, Belén Bernaldo de Quiros (Head of Unit), phone: 0032/2/2960312
- Unit B/5 - Leonardo da Vinci, João Delgado (Head of Unit), phone: 0032/2/2953781
- Unit A/3 - Vocational Training and Adult Education, Marta Ferreira Lourenco (Head of Unit), phone: 0032/2/2962658
- Unit A/5 - Multilingualism Policy, Jacques Delmoly (Head of Unit), phone: 0032/2/2958406
- Unit A/6 - Analyses, Statistics and Indicators, Anders Hingl (Head of Unit), phone: 0032/2/2960555

Education, Audiovisual and Culture Executive Agency, EACEA, Rue Colonel Bourg 135-139, 1140 Brussels, Belgium, phone: 0032/2/2330111, fax:

0032/2/2330150, e-mail: eacea-info@cec.eu.int, internet:
<http://eacea.cec.eu.int/static/index.htm>,
<http://eacea.cec.eu.int/static/programmes.htm>

- Unit P1 - Comenius/Grundtvig/eLearning/Lingua: Brian Holmes
- Unit P2 - Erasmus/Jean Monnet: Ralf Rahders
- Unit P3 - Leonardo: Monika Holik

You can visit the national programme agencies on the internet at
http://europa.eu.int/comm/education/programmes/programmes_de.html.

The Erasmus Mundus Programme

Programme Objectives

Erasmus Mundus, the "Community action programme for the improvement of quality in higher education and promotion of intercultural understanding through cooperation with third countries" is a cooperation and mobility programme which aims at enhancing the EU's attractiveness as a centre of higher education for graduates and teaching staff from the whole world.

Funding Opportunities for Migration & Integration Issues

The programme supports master courses offered jointly by a number of universities in various countries participating in the programme. Scholarships are awarded to highly-qualified graduate students and guest researchers who want to participate in master courses. Grants are also provided for partnerships between institutions offering Erasmus Mundus master courses and universities in third countries, in order to enable students and researchers who participate in EU master courses to study at partner universities in third countries. Lastly, cooperation projects for enhancing the attractiveness of and interest in European university education also receive funding.


Application Rules and Procedures

The application forms, to be submitted within fixed deadlines, can be downloaded from the internet (see contacts). Students and guest researchers from third countries must apply directly to the institutions offering relevant master courses.

Contacts —

European Commission, Directorate General Education and Culture - GD EAC, Unit B/5, Augusto Gonzalez Hernandez, 1049 Brussels, Belgium, phone: 0032/2/2966319, fax: 0032/2/2989437, e-mail: EAC-Erasmus-Mundus@cec.eu.int, internet: http://europa.eu.int/comm/education/programmes/mundus/index_de.html

Education, Audiovisual and Culture Executive Agency - EACEA, Unit P4, Joachim Fronia, Rue Colonel Bourg 135-139, 1140 Brussels, Belgium, phone: 0032/2/2330111, fax: 0032/2/2330150, e-mail: EACEA-Erasmus-Mundus@cec.eu.int, internet: <http://eacea.cec.eu.int/static/en/mundus/index.htm>

 European
Language Label

Programme Objectives —

The European Language Label is a competition organised by the European Commission since 1997. Every year, the Label honours projects which promote learning and teaching of foreign languages in an exceptional manner.

Funding Opportunities for Migration & Integration Issues —

The Label is awarded to projects on all levels of general and vocational education and training, from pre-schools to adult education to teacher training institutions, universities etc. All relevant initiatives are eligible, irrespective of the age of learners and the institutions involved.

The Label is awarded on a decentralised basis by the participating countries, which may establish a different national focus every year. All projects that are awarded the Label receive an official certificate from the EU-Commission and their names are published Europe-wide. The Label itself and the corresponding logo may be used by successful competitors in their advertising material, as letterheads, in publications etc. In some EU-countries, the best projects receive an additional reward in the form of a prize.

Application Rules and Procedures —

Project requirements:

- Projects need to satisfy a range of criteria agreed at European level which apply to all countries as well as the additional requirements determined nationally each year, which are applicable to the country in question only.
- European criteria: Initiatives should
 - be comprehensive, meaning all persons involved as well as materials should contribute to identifying and fulfilling learners' needs.
 - generate added value within their national context, meaning they should lead to an improvement in the teaching and learning of foreign languages.
 - provide motivation for learners and/or teachers.
 - be original and creative and have a European dimension.
 - contain innovations that are transferable to other situations.

Application and selection process:

The awarding of the Label is coordinated by the EU-Commission but implemented on a decentral basis by the countries involved.

Contacts —

European Commission, Directorate General Education and Culture, Unit A/5 - Multilingualism Policy, Patrizia Baralli, 1049 Brussels, Belgium, e-mail: patrizia.baralli@cec.eu.int, phone: 0032/2/2994633, fax: 0032/2/2987744, internet: http://europa.eu.int/comm/education/policies/lang/awareness/label_de.html, for national contact agencies see: http://europa.eu.int/comm/education/policies/lang/awareness/contact_en.html

— EMPLOYMENT AND WORK

Work means more than making a living and the issue of employment in migration and integration policy and practice is more than "just" a financial problem. The traditional Community tools for support in this field are the Structural Funds, above all the European Social Fund, although there are other EU-Funds which support activities revolving around the issue of work, including academic approaches to employment and the dialogue with social partner organisations.

 **European
Structural Funds****Programme Objectives**

The general aim of European structural policy, or cohesion policy as it is called today, is that of reducing economic and social inequalities within the Community as well as improving competitiveness and the employment situation in the EU. The coffers which finance this policy are the EU Structural Funds, of whom there will be only three from 2007 onwards, namely the European Fund for Regional Development (EFRD), the European Social Fund (ESF) and the Cohesion Fund.

Proposed budget (EFRD, ESF, Cohesion Fund): 336.1 billion EUR.

Funding Opportunities for Migration & Integration Issues

It is above all the European Social Fund that serves to promote employment and social integration, whereas the European Regional Fund primarily finances productive investments, infrastructures and other development initiatives such as company services and exchange of experience between regions, cities and socio-economic or environmental stakeholders. The opportunities offered by the ESF and EFRD are difficult to understand without some introductory remarks. In the following, some of the basic features are explained:

In EU cohesion funding, specific priorities, called objectives, are laid down to determine what actions are eligible for support. As of 2007, the following three objectives apply:

- **Objective 1: Convergence**
This target relates to the Member States and regions that are lagging behind in their development (especially regions with a GDP per person below 75% of the EU average) and consists of creating the right framework conditions and factors for stimulating growth, in order for these regions to catch up with more prosperous and better performing regions.
- **Objective 2: Regional Competitiveness and Employment**
In very simplified terms, this objective is targeted at regions other than the "Convergence Regions" named above and concentrates mainly on two things: firstly, support for regions who experience particular problems because of economic and social change, strengthening their competitiveness (the regional component) and secondly, helping people to adjust to change (the social component).

- Objective 3: European territorial cooperation

In essence, this target comprises the promotion of cooperation between border regions and transnational cooperation between specific selected areas in Europe.

These three targets of EU Cohesion policy for 2007 and beyond will be financed by either the Regional or Social or Cohesion Fund, depending on whether their orientation is a territorial and/or social one, whereas money from the Cohesion Fund goes mainly to the sectors environment and traffic and is used exclusively to the benefit of countries whose gross national product is below 90% of the Community average. Use of the other two Funds within the defined target areas is furthermore restricted to certain purposes defined EU-wide.

Assignment of ESF-Funds:

Financial means from the Social Fund within the objectives 1 "Convergence" and 2 "Regional Competitiveness and Employment" are to be used primarily for:

- a) Increasing adaptability among workers, companies and entrepreneurs, in order to improve their preparedness for economic change and their ability to manage it.
- b) Improving access to employment for jobseekers and the economically inactive and promoting their sustainable integration into the labour market, prevention of unemployment, the prolongation of working life and increasing labour market participation; this includes specific measures for migrants' participation in employment and thus for improved social integration, measures for facilitating employees' mobility both in geographic and professional terms and for the integration of cross-border labour markets.
- c) Improving social integration of disadvantaged persons (for example persons who face social exclusion, early school leavers, minorities, disabled persons), with regard to a lasting integration into the labour market and combating discrimination of all kinds in the labour market.
- d) Strengthening Human Capital.
- e) Mobilising for reform in the areas of employment and integration, for example supporting the setting up of businesses, further developing and implementing partnerships, pacts and initiatives through networking of relevant stakeholders such as social partners and NGOs at national, regional, local and transnational level.

Within the framework of objective 1 "Convergence", the ESF may also support measures aiming at:

- a) Expanding and improving investments in human capital, i.a. through measures that have as a target a significant reduction of the number of early school leavers and a reduction of segregation.
- b) Strengthening institutional capacity and the efficiency of public administrations and services at national, regional and local level and if applicable of social partners and non-governmental organisations, regarding reforms, good governance and better legislation particularly in the economic, employment, social, environmental and legal field.

In supporting the targets and priorities mentioned above, the ESF has as an additional task to support the dissemination and incorporation of innovative activities in Member States as well as transregional and interregional cooperation.

Assignment of EFRE-funds:

Funds from the European Regional Fund can be used at least partially for fields of action that may be helpful in solving questions related to immigration and integration. Corresponding provisions can be found in:

- Objective 1: "Convergence"
Supporting programmes for modernisation and diversification of regional economic structures, these programmes may include i.a. activities for promoting entrepreneurship and investments in the education sector.
- Objective 2: "Regional competitiveness and employment"
Supporting regional sustainable development strategies -in this context promotion of initiatives for managing economic, ecological and social problems in agglomeration areas seems to be the most promising starting point for projects in the field of migration and integration.
- Target 3: "European Territorial Cooperation"
Supporting the development of cross-border economic and social activities, i.a. through support of cultural activities and an extension of cooperation as well as joint use of capacities in the field of health, culture and education. EFRE-funds may also be used for cross-border integration of labour markets, local employment initiatives, measures for improving equality of opportunity, further training and social integration. Furthermore, networking and exchange of experience between regional and local

authorities, for example on problems in agglomeration areas, is to be promoted.

This array of potential funding options is further specified in accordance with the situation in the individual EU-countries. To this end, every Member State establishes a "strategic reference framework" and so-called operational programmes, setting out individual focuses for funding, which must be approved by the authorities in Brussels.

Application Rules and Procedures —

As a rule, money from the European Structural Funds needs to be combined with public funds from national or regional resources in the Member States. Support from the ESF or EFRE funds can thus not be applied for directly, but projects must be submitted within the context of programmes which themselves receive funding from one of the European Structural Funds. The decision as to who receives financial support lies with the competent authorities in the Member States. These usually provide information on possibilities for support and terms of application on their websites.

Contacts —

European Commission, 1049 Brussels, Belgium

- Directorate General Employment, Social Affairs and Equal Opportunities, Unit A/4 - ESF Policy Coordination and Local Employment Development, Marie Donnelly, Head of Unit, phone: 0032/2/2960332, fax: 0032/2/2969778, e-mail: marie.donnelly@cec.eu.int, internet: http://europa.eu.int/comm/regional_policy/sources/docoffic/2007/osc/index_de.htm (for information on the funding period starting 2007) -the units responsible for individual Member States can be found at http://europa.eu.int/comm/dgs/employment_social/staffgui/org_de.pdf
- Directorate General Regional Policy, Internet: http://europa.eu.int/comm/regional_policy/funds/2007/index_de.htm

A list of national contacts for the Structural Funds can be found on the internet:

- ESF: For all EU-countries at: http://europa.eu.int/comm/employment_social/emplweb/esf/esf_matrix_de.cfm

- EFRD: For all Member States at: http://europa.eu.int/comm/regional_policy/manage/authority/authority_de.cfm

**PROGRESS - The Community programme
for Employment and Social Solidarity**

Programme Objectives

Starting in 2007, PROGRESS will unite a number of programmes that have thus far been organised in the form of individual programmes. These comprise activities for combating social exclusion and discrimination as well as the promotion of initiatives for equality, support for European organisations who are active in this field and so-called incentive measures in the field of employment.

The new programme's aim is first and foremost to improve knowledge and understanding of the situation of Member States with respect to these issues, to develop statistical instruments, methods and common indicators, to promote networking and mutual learning and to disseminate good practices and support innovative approaches as well as raise awareness among stakeholders and the general public for EU-strategies in the following fields: employment, social protection and social integration, working conditions, non-discrimination and diversity, gender equality.

Proposed budget: 628.8 million EUR.

Funding Opportunities for Migration & Integration Issues

PROGRESS does not so much support direct solutions but the investigation of problems and challenges in the areas named above. It also supports the main stakeholders in these sectors and promotes cooperation among them. The individual items are:

1. Employment

Implementation of the European Employment Strategy (EES).

2. Social protection and inclusion

Application of the Open Method of Coordination (OMC)³¹.

3. Working conditions

Improving the working environment and working conditions, including health

4. Anti-discrimination and diversity

Effective application of the anti-discrimination principle as laid down in Article 13 of the EC Treaty (see glossary) and promotion of consideration of this principle in all EU-strategies.

5. Gender equality

Effective implementation of the principle of equality between men and women and of gender mainstreaming in all EU strategies.

To this end, the following measures, which may also be implemented in a transnational setting, are to be supported:

- Analytical activities, such as collection, development and dissemination of data and statistics, elaboration and promotion of common methods and, if applicable, indicators/benchmarks as well as elaboration and publication of manuals, reports and training material.
- Activities in the areas of mutual learning, awareness-raising and dissemination, for example identification/exchange of good practices, innovative approaches and experience, conferences/seminars as well as organisation of an annual forum for all stakeholders involved.

These measures must possess a European dimension as well as a certain scope in order to be able to generate added value at EU-level and they must be implemented either by (sub)national authorities or by special agencies as stipulated in EU-legal provisions or by stakeholders of key importance for the subject-area in question.

31 Open Method of Coordination (OMC): Introduced by the European Council in Lisbon in 2000, this instrument is particularly important for policy areas in which the community so far has only very limited legislative authority, respectively for those fields, for which no coordination procedures have been laid down (yet) in the European treaties. The new EU constitution, which has not yet been ratified by all Member States (this text was written on 06/08/2004) in contrast mentions OMC as a policy instrument.

OMC aims at providing assistance to Member States in developing their own policies and aims to ensure the promotion of good practices as well as enhance convergence as regards the EU's common objectives. OMC comprises (1) fixing guidelines; (2) establishing benchmarks and indicators in order to compare practices in different Member States; (3) translating the European guidelines in national and regional policies and (4) regular monitoring, evaluation and peer review. In deviation from the meaning of the word "coordination" in the usual sense, the OMC serves to develop processes which allow for concrete recommendations to Member States and create political responsibility for achieving the "targets". In the fields "social inclusion and fighting poverty" and "pensions" for example, corresponding indicators have already been developed.

- Support of main stakeholders (operating grants for important EU networks, organisation of workshops for national civil servants, expert trainings, networking activities of expert organisations etc.)

Application Rules and Procedures

Eligible for this programme are public and/or private organisations, institutions and stakeholders, in particular employment services and administrations, local and regional authorities, specialised bodies foreseen under EU legislation, social partners, NGOs (especially those organised at EU-level), university institutions and research institutes, experts in evaluation, national statistical offices and media.

Application and selection process:

The majority of measures eligible for funding as described above is supported through service contracts published on the internet in TED at <http://ted.publications.eu.int>.

Project grants can only be applied for on the basis of a previously published call for proposals. Application forms are to be submitted directly to the EU-Commission.

Contact

European Commission, Directorate General Employment, Social Affairs and Equal Opportunities, Directorate G - Equal Opportunities, Luisella Pavan-Woolfe, 1049 Brussels, Belgium, phone: 0032/2/2956638, e-mail: luisella.pavan-woolfe@cec.eu.int

Industrial Relations
and Social Dialogue

Programme Objectives

EU-budget line 04.03.03.01 provides for funding for the promotion of a European social dialogue at cross-industry and sectoral level, in accordance with Articles 138 and 139 of the EC-treaty.

Funding Opportunities for Migration & Integration Issues

Financial support can be granted for consultations, meetings, negotiations and other measures such as surveys, studies, the building of networks, information exchange and dissemination as well as educational measures. Concrete funding opportunities are pooled in the form of four sub-programmes, of which the last two offer the best options for both employees and employers to take into account and concern themselves with questions of migration and integration:

I. Promoting social dialogue at European level

Support is granted for the preparation of a European social dialogue as well as for negotiations between employee and employer representatives in accordance with Article 138 ECT and for the implementation of negotiation results. The social dialogue in new EU countries and social partner initiatives at both European and national level are also supported.

II. Promoting financial involvement of employees

This aspect relates primarily to exchange of information on good practices, awareness-raising for the issue and improving knowledge of the systems available for financial involvement.

III. Improving knowledge on industrial relations

The aim is to improve knowledge on industrial relations and to promote an exchange of information and experience between the stakeholders as well as support the development of labour relations in Europe.

IV. CSR - Corporate Social Responsibility

Support is granted for projects promoting innovation, transparency and convergence of CSR processes and instruments (seminars, research, training measures).

Application Rules and Procedures

Calls for proposals are published by the Commission on an annual basis. Application forms can be downloaded from the internet. Only registered legal entities based in the EU qualify as applicants (for measures in accordance with article 138 ECT, unincorporated social partners may also receive support). These may include:

- European social partner organisations which are consulted in accordance with Article 138 ECT, national or regional organisations associated with

the latter and for specific purposes even other European social partner organisations

- organisations working on labour relations (non-profit research institutions, universities and non-profit corporate networks or employee organisation networks)
- national, regional and local authorities, including associated federations and public services or agencies;
- relevant civil society organisations which are active in the field of CSR and financial involvement of employees.

Contact —

European Commission, Directorate General Employment, Social Affairs and Equal Opportunities, Unit D/1, Jackie Morin, Head of Unit, 1049 Brussels, Belgium, phone: 0032/2/2961145, fax: 0032/2/2969771, e-mail: empl-04-03-03-01@cec.eu.int, internet: http://europa.eu.int/comm/employment_social/emplweb/tenders/index_de.cfm

 **Information and Training Measures
for Workers' Organisations****Programme Objectives** —

EU budget line 04.03.03.02 enables the authorities in Brussels to support information and education activities to the benefit of workers' organisations.

Funding Opportunities for Migration & Integration Issues —

Information and education measures may be supported if connected to the implementation of Community measures for the development of a social dimension of the single market, including issues related to equal opportunities. The bulk of funding is used for projects of European organisations.


Application Rules and Procedures —

Usually, calls for proposals are published at the beginning of each year and form the basis for an application for grants.

Eligible for funding are social partner organisations which represent employees at European, national, regional or local level and are based in one of the EU countries.

Contact —

European Commission, Directorate General Employment, Social Affairs and Equal Opportunities, Unit D/1, Jackie Morin (address - see above), e-mail: empl-04-03-03-02@cec.eu.int, internet: http://europa.eu.int/comm/employment_social/emplweb/tenders/index_de.cfm

 **Information, Consultation, Participation in companies active in more than one EU-country****Programme Objectives** —

EU budget line 04.03.03.03 finances support measures for the strengthening of transnational cooperation of employee and employer representatives regarding information, consultation and participation in companies that are active in more than one Member State. Funding may also be used for training of representatives in cross-border co-decision bodies -in particular to achieve greater representation of women- as well as for innovative measures for the prevention or resolution of industrial conflict in multinational companies in the context of restructuring.

Funding Potential for Migration & Integration Issues —

Priority areas of EU funding are for example:

- Strengthening transnational cooperation in the area of information and consultation.
- Support for the establishment of information and consultation bodies and for the implementation of good practices.
- Exchange of information and experience to prepare employees of European public limited companies and European cooperatives for the processes of information, consultation and participation.
- Cooperation between employee and employer representatives.
- Innovative measures related to management of information, consultation and participation.

- Promoting equal opportunities and a more balanced representation of men and women in transnational representation bodies.
- Promoting and further developing agreements between employee and employer representatives.

Application Rules and Procedures —

After calls for proposals have been published, which usually happens at the beginning of the year, there are three different ways of proposing projects: via the employee representatives, via the employers or their representatives or via one of the parties in the name of both of them.

The documents necessary to apply for grants are available on the internet (see contact).

Contact —

European Commission, Directorate General Employment, Social Affairs and Equal Opportunities, Unit D/1 - Social Dialogue - Industrial Relations - Adaptation to Change, Jackie Morin, Head of Unit, 1049 Brussels, Belgium, phone: 0032/2/2961145, fax: 0032/2/2969771, e-mail: empl-04-03-03@cec.eu.int, internet: http://europa.eu.int/comm/employment_social/emplweb/tenders/index_de.cfm

 **RESEARCH**

The main instruments of EU research funding are multi-annual framework programmes which are subdivided into so-called specific programmes covering certain thematic or horizontal priorities. Interesting from a migration and integration perspective are above all those parts of the programmes which support research in the area of social sciences and the humanities as well as researcher mobility.

**Seventh Framework Programme for Research,
technological Development and Demonstration****Programme Objectives**

The new EU research framework programme to be launched in 2007 has as its aim to promote the transition to a knowledge based society and to pave the way for European excellence, with the help of its four specific or individual programmes:

- **Specific Programme "Cooperation"**
Support is granted to the full spectrum of research activities carried out in transnational cooperation, from collaborative projects and networks to the coordination of research programmes.
- **Specific Programme "Ideas"**
"Ideas" will support outstanding projects in basic research which challenge the borders of knowledge.
- **Specific Programme "People"**
This programme contains grants and scholarships for the promotion of researcher training and career development named after the chemist Marie Curie.
- **Specific Programme "Capacities"**
This programme is all about capacities for research and innovation: research infrastructures, research for the benefit of small and medium sized companies, regional research-driven clusters, research potential in convergence regions (see p. 115), issues regarding "Science in Society" and horizontal activities of international cooperation.

Proposed Programme Budget: 72.726 billion EUR.

Funding Opportunities for Migration & Integration Issues

Of the four individual programmes, the specific programmes "Cooperation" and "Humans" are of primary interest for projects dealing with issues of migration and integration:

- **Specific Programme "Cooperation"**
This programme relates to the promotion of cross-border cooperation of all dimensions, focusing on nine specific themes:
 1. Health
 2. Food, Agriculture and Biotechnology
 3. Information and Communication technologies

4. Nanosciences, Nanotechnologies, Materials, new Production Technologies
5. Energy
6. Environment (including Climate Change)
7. Transport (including aeronautics)
8. Socio-economic Sciences and the Humanities
9. Security and Space

Potential for raising funds can be found above all in the following fields:

- Information and Communication Technologies (ICT)
Application research on ICT to master societal challenges, meaning new systems and services in areas of public interest for the improvement of quality, efficiency, access and social inclusion as well as contents, creativity and personal development.
- Socio-Economic Sciences, the Humanities
Focuses of research are i.a.: growth, employment and competitiveness, tendencies in society and their impacts, cultural interaction on an international scale; trade- financial- investment and migration flows and their impacts; diversity and commonalities in Europe; approaches for coexistence of different cultures, the role of language, art and religions; socio-economic and scientific indicators; foresight activities.
- Specific Programme "humans"
This programme is above all dedicated to supporting individual researchers; support is granted for initial training of researchers as well as life-long education and career development of experienced researchers. Beyond that, the programme aims at the creation of a European labour market, at promoting research cooperation with countries outside Europe and supporting partnerships between industry (especially SMEs) and universities.

Application Rules and Procedures —

The programme "Cooperation" is under central administration by the EU-Commission, meaning that application for and allocation of subsidies is coordinated by the authorities in Brussels. Practical management of the programme will involve a new Executive Agency for the EU and, for the Member States, mostly the already existing National Contact Points (see contacts). The Executive Agency is in charge of calls for proposals and administrative execution of proposals, the national focal points in turn will provide advice and information.

The programme "Humans" is, notwithstanding minor exceptions, administrated in its entirety by the Executive Agency, which not only organises calls for proposals but will also be in charge of approving contracts and grants.

Contact —

European Commission, Directorate General Research, Michel Claessens, office: SDME 7/15, 1049 Brussels, Belgium, phone: 0032/2/2959971, fax: 0032/2/2958220, e-mail: fp7@cordis.lu, internet: <http://www.cordis.lu/fp7>

All current national contact points for EU research programmes can be found on the internet at <http://www.cordis.lu/fp6/ncp.htm>

CULTURE AND INTERCULTURAL DIALOGUE

The Community's new cultural programme for the years 2007 to 2013 is a visible step away from the branch-oriented focus of past programmes and thus creates room for projects and forms of cultural expression and exchange that may not always fit conventional categories.

The European Year 2008 will serve to promote a culture of cosmopolitanism in dealing with increased diversity and offers some additional funding opportunities. Some institutions in the EU which cooperate with project partners in the Southern Mediterranean countries may also receive support in the form of grants from the Anna-Lindh-Foundation for the development of intercultural dialogue.

**The Programme
"Culture 2007"**

Programme Objectives —

The EU's new cultural programme aims at supporting

- Transnational mobility for persons working in the cultural sector;
- The transnational circulation of works of art and cultural/artistic products;
- Intercultural dialogue.

The programme wants to reach out the greatest possible diversity of participants (above all administrations, networks, cultural associations, companies in the cultural sector) and promote cooperations of various kinds. Another important point is increased openness towards participants from third countries, especially those involved in the new neighbourhood policy (see below).

Proposed Programme Budget: 408 million EUR.

Funding Opportunities for Migration & Integration Issues —

The programme comprises three major fields of action, all of whom may offer opportunities for projects dealing with issues of migration and integration.

- **Field of Action 1: support for cultural projects**
This field envisages direct support for European cooperation projects, with differences in duration and scope. Support may be granted for cooperation networks and projects as well as specific projects.
 - **Cooperation networks**
Regarding cooperation networks, the emphasis is on long-term cooperation of European stakeholders in the cultural field. Support may be granted for structured networks in the start-up and structuring phase, or for phases of geographic extension.
 - **Cooperation projects**
These projects focus on creativity and innovation and pave the way for new cooperations that may in some cases be continued in the form of cooperation networks.
 - **Special projects**
These projects should distinguish themselves through their high-profile character and through the fact that they create a sense of belonging among Europeans as well as stimulate an understanding for the cultural diversity of Member States and for intercultural and international dialogue. Cooperation projects with third countries and international organisations may also receive support.
- **Field of Action 2: Support for cultural institutions that are active at European level and for action for the preservation of the main sites and archives associated with the deportations and their function as places of commemoration.**
- **Field of Action 3: Studies and analyses as well as collection and dissemination of information in the field of cultural cooperation.**

Application Rules and Procedures —

Project requirements:

Every project needs to be orientated towards at least two of the three programme objectives of the programme named above.

Application and selection:

Notwithstanding minor exceptions, funds for all fields of action are awarded on the basis of calls for proposals. As a rule, applications are to be submitted directly to Brussels, namely to the Education, Audiovisual and Culture Executive Agency.

Contact

European Commission, Directorate General Education and Culture, Unit C/1 - Culture, Harald Hartung (Head of Unit), 1049 Brussels, Belgium, phone: 0032/2/2965450, fax: 0032/2/2969283, e-mail: eac-culture@cec.eu.int, internet: http://europa.eu.int/comm/culture/eac/index_en.html

Education, Audiovisual and Culture Executive Agency - EACEA, Antonios Kosmopoulos, Unit P5 - Culture, Rue Colonel Bourg 135-139, 1140 Brussels, Belgium, e-mail: eacea-info@cec.eu.int, phone: 0032/2/2330111, fax: 0032/2/2330150, internet: <http://eacea.cec.eu.int/static/index.htm>

National Contact Points for the programme can be found on the internet at http://europa.eu.int/comm/culture/eac/culture2000/contacts/national_pts_en.html

2008 - the European Year
of Intercultural Dialogue

Programme objectives

The intention to declare 2008 the European Year of Intercultural Dialogue aims at

- Promoting intercultural dialogue as an instrument for acquiring the knowledge, qualifications and skills necessary to deal with an increasingly open but at the same time more complex environment and to make use of the opportunities offered by an intercultural society.
- Raising awareness among all people living in Europe for the importance of active union citizenship which is open to the world, respectful of cultural differences and based on common values, including minority rights.

Proposed budget for the European Year: 10 million EUR.

Funding Opportunities for Migration & Integration Issues

The following three types of activities will receive funding:

- An information and communication campaign promoting the objectives of the European Year as well as studies and surveys at European level.

- A limited number of other EU-wide actions which intend to raise awareness, especially among young people, for the objectives of the European Year.
- National actions with a strong European dimension.

Application Rules and Procedures

Every Member State has to designate a national coordination body responsible for organising the country's participation in the European Year. However, the allocation of funds will presumably be coordinated directly by the EU-Commission, on the basis of call for tenders and calls for proposals.

Contact

European Commission, Directorate General Education and Culture, Unit C/1 - Culture, Harald Hartung (Head of Unit), Fabienne Metayer, 1049 Brussels, Belgium, e-mail: eac-culture@cec.eu.int, harald.hartung@cec.eu.int, fabienne.metayer@cec.eu.int, phone: 0032/2/2965450, 2998643, fax: 0032/2/2969283, internet: http://europa.eu.int/comm/culture/portal/events/current/dialogue2008_de.htm

Promoting the Dialogue between Cultures
- the Anna-Lindh-Foundation

Programme Objectives

Named after the Swedish Minister of Foreign Affairs who was assassinated in 2003, the Anna-Lindh-Foundation for the dialogue between cultures, based in Alexandria, Egypt, is an institution that is financed by the EU and its partner states in the Southern Mediterranean region. The foundation is dedicated to civil society cooperation in education, research and culture. In doing so, it also supports projects in the Member States of the Euro-Mediterranean Partnership (EU-countries + Algeria, Egypt, Israel, Jordan, Lebanon, Morocco, Palestinian National Authority, Syria, Tunisia and Turkey).

Funding Opportunities for Migration & Integration Issues

In 2006, projects in the following six thematic fields will be supported; target groups should be between the ages of 14 and 40:

- Theme A: Music and other kinds of cultural/artistic expression
Particular attention is paid to events that bring together multinational teams/representatives of different kinds of artistic expression, events that aim for a combination of different traditions or genres and/or which aim at the creation of a joint work of art in the course of a workshop.
- Theme B: The EuroMed Schools programmes
Support can be granted for exchange of and cooperation between teachers, educators and students aged 12 to 18.
- Subject C: EuroMed teams of young researchers (age limit: 40 years)
Forming teams from the EU and the Mediterranean region for joint research on: social and cultural history of the European-Mediterranean region, socio-economic challenges in the region, multidisciplinary research on the relationship between humans and nature, other subjects contained in the Framework Research Programme (cf. pages 131-132).
- Theme D: Summer schools/Exchange programmes
Organisation of international workshops, camps and events for intercultural dialogue -including the cultural dimension of religions- for conflict prevention and resolution and/or on the relationship between cultural diversity, sustainable development and human rights/democracy. Residence periods for artists in a partner community in a different cultural environment may also be receive funding.
- Theme E: Libraries, promotion of translations and reading
This thematic priority allows for workshops for librarians and projects for the promotion of young women's participation in the information society.
- Theme F: Intercultural exchanges for women in civil society organisations
Seminars/workshops on: project development, finance and knowledge management; lobbying, counselling, public appearances (speeches), creative writing, capacity-building for intercultural dialogue.

Application Rules and Procedures —

At least two institutions from two different EU countries and at least two other institutions from two different Mediterranean countries must be involved in the project. As an additional requirement, the applicant and one institution from the partner region must be members of one of the Foundation's national networks (see internet <http://www.euromedalex.org/En/Network.htm>), and have their headquarters in one of the countries of the Euro-Mediterranean Partnership. All other partners must fulfill the same criteria, apart from that of

network membership. That is to say they must be non-profit NGOs, education, cultural, research or academic institutions.

Contact —

Anna Lindh Euro-Mediterranean Foundation for the Dialogue between Cultures at the Swedish Institute, Dr. Traugott Schöffthaler, Executive Director, 57, 26th July Avenue, Mansheya Corniche, Alexandria 21111, Egypt, fax: 00203/4820471, e-mail: questions@euromedalex.org, internet: <http://www.euromedalex.org/En/Proposals.htm>

NEIGHBOURS AND EU-CANDIDATES

Good relations between neighbours are beneficial for everybody - in politics as much as in the private sphere - and they are precisely what the new EU-programme ENPI aims at. The European Neighbourhood and Partnership Instrument to be launched in 2007 will coordinate all support measures for those countries in Eastern Europe, the Southern Caucasus and south of the Mediterranean who currently have no prospect of EU-membership. A completely different layout is that of IPA, which aims at facilitating accession preparations in Turkey and in the countries of the Western Balkans.

**European Neighbourhood
and Partnership Instrument**

Programme Objectives —

The Neighbourhood and Partnership Instrument (ENPI) aims to promote cooperation and economic integration between the EU and its new neighbouring countries in the East and the old neighbouring countries in the South.

The new instrument targets the following countries: Algeria, Armenia, Azerbaijan, Belarus, Egypt, Georgia, Israel, Jordan, Lebanon, Libya, Moldova, Morocco, the Palestinian National Authority, Russia, Syria, Tunisia and Ukraine.

Proposed Programme Budget for 2007 to 2013: approx. 15 billion EUR.

Funding Opportunities for Migration & Integration Issues

ENPI must develop a wide range of action -in geographic terms as well as in terms of content. The geographic position of the benefiting partner countries at the external borders of the EU means that migration issues will play a pivotal role in cooperation. Priorities include the following areas:

- Promoting political dialogue and political reforms;
- Guaranteeing safe and efficient border management;
- Cooperation in the field of justice and home affairs, including issues such as asylum, migration and the fight against and prevention of terrorism;
- Promotion and protection of human rights and fundamental freedoms;
- Promotion of civil society development;
- Supporting measures for fighting poverty;
- Social development and gender equality as well as employment and social security, including social dialogue and respect for trade union rights and fundamental labour standards;
- Assistance in the fields of health, education and training;
- Cooperation between the EU and its partner countries in university education and increasing mobility of teaching staff, researchers and students;
- Promoting understanding between cultures and people-to-people contacts;
- Cross-border cooperation to promote sustainable economic, social and ecological development of border regions;
- Promoting regional cooperation and integration;
- Support in post-conflict situations, including refugee aid.

Despite the fact that this list of potential fields of action for ENPI is by no means complete, it shows how comprehensive the funding opportunities connected with this instrument are. The focus of support, however, is based on the national situation and will never comprise all areas that would be eligible for support theoretically; in principle, the same is true for multicountry programmes (see below). Generally speaking, ENPI can be used for:

- Country programmes - assistance for one single partner country
- Multicountry programmes for the promotion of regional and sub-regional cooperation between at least two partner countries, with EU countries being able to participate as well.
- Thematic programmes which deal with specific problems common to several neighbouring countries.

- Crossborder cooperation programmes (CBC) for countries on both side of the EU's external borders.

Beyond CBC programmes, EU countries will have the opportunity to participate in both thematic and multicountry programmes within the general framework of transregional cooperation.

Application Rules and Procedures —

As a consequence of ENPI's multidimensional character and a total of 17 benefiting partner countries, there is a plethora of different contacts, coordinating bodies and rules when it comes to the practical allocation of funds. One of the very few generally valid guidelines that have been established is that individuals and legal persons from the following countries may participate in procedures for the awarding of grants and tenders available through the financial instrument:

- Members of the European Economic Area (EEA = EU-countries + Iceland, Liechtenstein, Norway);
- ENPI-partner countries
- Countries which are beneficiaries of EU pre-accession funds (see below).
- Furthermore, the procedures are open to international organisations and may be made accessible for other third countries.

The circle of those eligible for ENPI-financing ranges from countries, decentral authorities and EU-institutions to companies, universities, research organisations, media, churches and religious associations to NGOs, professional-, social partner-, women's- and youth associations to indigenous peoples' organisations. Calls for proposals and calls for tender for ENPI will be published on the following websites:

- EuropeAid, the EU Commission's Office for Cooperation at <http://europa.eu.int/comm/europeaid/cgi/frame12.pl>
- the online service TED at <http://ted.publications.eu.int>
- the EU Commission's delegations - the corresponding websites can be found at http://europa.eu.int/comm/external_relations/delegations/intro/web.htm

Contacts —

European Commission, Directorate General Foreign Affairs, Directorate D - Coordination of European Neighbourhood Policy (ENP), Rutger Wissels, Director, 1049 Brussels, Belgium, phone: 0032/2/2993482, fax: 0032/2/2987525, e-mail: relex-enpinfo@cec.eu.int, rutger.wissels@cec.eu.int,

internet: http://europa.eu.int/comm/world/enp/index_en.htm - a list of all staff at the Commission working on ENP can be found on the internet at http://europa.eu.int/comm/world/enp/task_force_en.htm.

Instrument for Pre-Accession Assistance

Programme Objectives

The new Instrument for Pre-Accession Assistance (IPA) to be launched in 2007, will serve to prepare countries for accession which already have the official status of candidate country (Turkey, Croatia, Macedonia) and those countries which are currently considered eligible for EU-membership in the future (Albania, Bosnia and Herzegovina, Serbia and Montenegro are regarded as potential candidate countries). Pre-Accession Assistance is divided into 5 components:

- I. Transition Assistance and Institution Building
- II. Regional and Cross-Border Cooperation
- III. Regional Policy
- IV. Human Resources Development
- V. Rural Development

The first two components will apply to all six IPA-countries whereas the last three will apply to official candidate countries only.

Proposed Programme Budget for 2007-2013: 14.653 billion EUR.

Funding Opportunities for Migration & Integration Issues

Since Pre-Accession Assistance benefits regions which have been severely scarred by recent civil wars and political unrest and integration as a challenge is ubiquitous in these regions, the issue will be much more predominant in the projects than has been the case in other regions. Of particular interest in this context are the first two IPA-components.

- I. Transition Assistance and Institution Building

Grants awarded for this field may be used i. a. for: strengthening democracy and the rule of law; administrative and economic reform; promotion and protection of human rights and fundamental freedoms;

greater respect for minority rights; civil society development; reconciliation, confidence-building measures, reconstruction.

II. Regional and Cross-Border Cooperation

Within the context of this component, various kinds of regional support are provided for cooperation between the Western Balkan Countries or between these and EU-Countries.

Application Rules and Procedures —

A multi-annual framework is established for each country and each applicable IPA-component, specifying the priorities for Community funding. However, clarity has yet to be attained as to the subsequent implementation, a question that is i.a. related to that of the future of the European Agency of Reconstruction, which administrates EU aid from the CARDS programme for former Yugoslavia which is to be phased out at the end of 2006. In accordance with the current legal situation, the agency's mandate ends on 31 December 2006.

Contacts —

European Commission, Directorate General Enlargement, 1049 Brussels,

- Directorate B - Candidate Countries, Pierre Mirel, Director, Office: CHAR 05/134, phone: 0032/2/2968727, e-mail: pierre.mirel@cec.eu.int
- Directorate C - Other Western Balkans, Reinhard Priebe, Director, Office: CHAR 04/188, phone: 0032/2/2969825, e-mail: reinhard.priebe@cec.eu.int

internet: http://europa.eu.int/comm/enlargement/financial_assistance.htm - contacts for individual countries can be found at <http://europa.eu.int/comm/enlargement/contacts/index.htm>.

European Agency for Reconstruction - EAR, Egnatia 4, Thessaloniki 54626, Greece, e-mail: info@ear.eu.int, phone: 00302310/505100, fax: 00302310/505172, internet: <http://www.ear.eu.int>

Chapter 3:
Terms and Bibliography

Glossary - 3.1

Anti-discrimination

The term "anti-discrimination" comprises measures to prevent and/or fight discrimination.

=> Article 13 of the EC Treaty, Anti-Discrimination

Article 13 of the EC Treaty

Since the Treaty of Amsterdam (=> European Union), signed in 1997, came into force on 1 May 1999, Article 13 which was added to the EC Treaty, allows for common measures to combat any kind of discrimination for reasons such as gender, race, ethnic origin, religion or beliefs, political or other opinions, disability, age or sexual orientation.

=> Anti-Discrimination, Non-Discrimination

Assimilation

In a social sense, assimilation means to "become alike" as a result of adaptation. Individuals or groups of citizens take on traditions, values and types of behaviour from other groups and gradually absorb these.

=> Integration

Asylum

The word asylum means shelter but also protection from danger and persecution. Political asylum is granted to acknowledged political refugees who had to flee their home country. Their stay in the receiving country is regulated by law.

Brain drain - Brain gain - Brain circulation

Brain drain means the emigration of highly-skilled or at least educated or particularly gifted individuals from one country to another with better economic and social opportunities.

In return, the moving of highly-qualified people to another country is called "brain gain". More and more, the term "brain circulation" is coming into use to describe the complex migration movements of skilled workforce in at least two directions when, for example, employees, after working abroad, return to their original countries to open up a business.

European Community - European Union

While often used synonymously, the terms European Community (EC) and European Union (EU) do not mean the same in a legal context. Looking back on at their historic development may help to distinguish them:

1951: The first of the European Communities is established in Paris through the signing of the Treaty of the European Coal and Steel Community (ECSC), with the duration limited to 50 years (the ECSC treaty from 23 July 1952 expired on 23 July 2002).

1957: The so-called Treaties of Rome are signed in Italy's capital, i.e. the treaty on the foundation of the European Economic Community (EEC Treaty) and the treaty on the foundation of the European Atomic Energy Community (EURATOM Treaty) (both treaties came into force on 1 January 1958). Thus, there were three different European Communities, which existed until July 2002. The institutions of the three Communities were given the authority, which they still hold to date, to establish binding legislation for their Member States in the areas defined in the respective treaties.

1986: The Single European Act (SEA - entry into force on 1 July 1987) is signed in Luxemburg and constitutes the first major reform of the Community treaties, including, for example, the creation of the Single Market by the end of 1992.

1992: The Treaty on the European Union (EUT or Treaty of Maastricht, entry into force on 1 November 1993) is signed. The European Union is born. According to the Maastricht Treaty, the EU serves as a "roof construction" for three political columns: the European Communities (first column) which are the foundation of the EU and create the framework within which Community legislation can be established, as was the case before; a Common Foreign and Security Policy (second column) featuring mixed decision procedures (partially functioning as if states concluded agreements in line with the procedures usually applied to regular intergovernmental treaties, partially featuring common legislative authority, i.e. certain law-making competences have been transferred to the Community) and co-operation in legal matters and home affairs (third column) for which no common laws can be established but only common procedures, according to the intergovernmental method. Apart from that, the Maastricht Treaty created the Economic and Monetary Union and renamed the European Economic Union (EEU) as European Community (EC), with the EEC Treaty now called EC Treaty.

After Maastricht, four European treaties existed side by side: The EC Treaty, the ECSC Treaty and the EURATOM Treaty for the three communities as well as the EU Treaty, which contains the political aims of the union, and -in simplified terms- outlines the areas where the Member States wish to work together but have not transferred legislative authority to the Community.

1997: Signing of the Treaty of Amsterdam (in force since 1 May 1999) which added, for example, provisions regarding a common employment policy as well as => Article 13 to the EC Treaty. The treaty also assigns elements from the field of justice and home affairs to Community decision making, e.g. moves them from column 3 into column 1 (integration of the new title IV into the EC Treaty covering the areas => freedom of movement, border controls at the => external borders, => asylum, immigration and protection of rights held by third-country nationals as well as legal co-operation in civil affairs).

2001: Signing of the Treaty of Nice (in force since 1 February 2003) concerning the latest EU-reform, centred around institutional aspects (changing the number of Members of the European Parliament, new size and composition of the European Commission, voting weight in the Council of Ministers, extension of the policy areas eligible for majority voting instead of unanimity etc.) and thus aiming to preserve the EU's ability to act, even after enlargement.

If ratified by all Member States, the Treaty on the European Constitution signed in the autumn of 2004 will replace the EU and EC Treaties.

Exclusion

Social exclusion refers to the loss or exclusion of social and political opportunities for participation, going hand in hand with a certain devaluation and possibly even discrimination of the person or group affected.

Exhaustion of local remedies

International mechanisms for the protection of human rights are only applicable when all possible national legal processes have been used. This means that, for example, individuals who consider themselves to be victims of a violation of a fundamental right guaranteed in the European Convention on Human Rights (see page 58) must first apply in a sufficient manner all effective and accessible legal processes of the country they accuse of the violation. In other words: They must first use all national legal or administrative processes and, if necessary, appeal the respective decision (up to the highest court), before they can file a complaint at the European Court for Human Rights.

Family reunification/reunion

Family reunion is the immigration of family members of a national or foreign citizen from abroad to form or maintain a family structure.

Flight migration, forced migration

As distinct to "flight migration", the term "forced migration" emphasises the aspect of a particularly desperate, coercive situation. Such a life-threatening situation or

situation which represents a danger to human existence may be caused by natural as well as man-made catastrophes (severe human rights violations, armed conflict and wars, environmental pollution because of chemical and nuclear accidents, expulsion of residents due to large infrastructural projects etc.).

Freedom of movement

Freedom of movement refers to the free movement of people within a state. In an EU-related context, the term is used in the following two ways: On the one hand, free movement expresses the right of all citizens of an EU Member State to travel within the EU, on the other hand, it represents the right of employees and self-employed individuals to essentially work in any EU state under the same conditions as the native population of that state³² and have equal access to public social benefits, without restrictions because of their nationality. Special requirements apply for Union citizens who do not engage in gainful employment (pensioners, students and other non-working persons) who wish to transfer their residence to another EU Member State. These person can do so only if they have sufficient health insurance and enough financial resources³³ for themselves and their family members for the entire stay.

Hostility to strangers, xenophobia

The terms "hostility to strangers" and "xenophobia" are used synonymously. While "hostility to strangers" specifically focuses on the rejection of and even hostile attitude or behaviour towards people or groups of people that are presumed or actual foreigners, the term "xenophobia", derived from Greek, means "fear of or timidity towards foreigners".

Human trafficking, trafficking in human beings

Victims of human trafficking either have never agreed to be brought to another region or country by traffickers or their consent lacks any validity in as much as it was obtained under pressure or through wilful misrepresentation of facts. In pursuing this type of organised crime, human traffickers make profits by exploiting victims after the destination has been reached, often in the form of prostitution, rather than through payments for the transfer and illegal entry into the destination country.

"Illegal" aliens, irregular migrants

People who enter a country illegally, stay on a country's territory without valid residence permit or work without the necessary permission, are often called illegal or irregular migrants. Illegal stays often result when a legal stay based on a tourist or study visa ends and the residence status is not renewed but the person does not leave

³² However, employment in e.g. public administration is excluded.

³³ The funds must be sufficient to rule out the necessity for social benefits.

the country. Even the terminology of the United Nations does not make any distinction as to if migrant workers without papers (non-documented migrant workers) pursue a paid activity without the necessary permission or whether it is the stay itself that is illegal.

Individual complaint - state party complaint

Individual and state party complaints are enforcement mechanisms of UN Conventions. If the contracting parties of a Convention have generally accepted the individual complaint procedure, their citizens -if they consider themselves to be victims of a violation of this Convention- can file a complaint at a national authority set up for this purpose after having used all other available national legal procedures. As a last resort, they can also contact the Treaty Body (the respective monitoring body established as part of the agreement). Both the acceptance of individual complaints and the establishment of national authorities for dealing with complaints are laid down as optional provisions for example in the Anti-Racism Convention and the International Migrant Workers Convention (cf. pages 172 ff). A Treaty Body will only be established if at least 10 contracting states have accepted the individual complaint procedure for the respective Convention.

Within the state party complaint procedure, which, depending on the Convention can either be compulsory or optional, a contracting state can call another state to account for non-compliance with or violation of the duties resulting from the convention before an ad hoc conciliation committee to be set up in such a case. In case of a dispute between two or more contracting parties regarding the interpretation or application of the Agreement that cannot be solved through negotiations, the matter is submitted to the International Court of Justice (ICJ) at The Hague³⁴ by request of one of the parties involved. Only states and -under certain conditions- international organisations can act as parties before the ICJ, meaning that no individual complaints are allowed in The Hague.

Integration

Integration refers to a long-term process during which excluded individuals or groups become members of a larger social group. A number of parties involved are responsible for the integration process of immigrants: immigrants themselves, their personal environment, employers and colleagues, institutions supporting the process and the legislators and authorities setting the framework conditions. Immigrants can be expected to respect certain basic cultural norms and values and learn the national language but not to give up their identity. The society which gives immigrants access to all societal sectors and comprehensive, if possible equal participation, will itself change as a result of the introduction of new values and of the culture of the integrated persons, thus creating a new whole.

=> Assimilation

34 Cf. footnote 8.

Intercultural competence, intercultural communication

Intercultural competence is the ability to show understanding and sensitivity towards persons of different cultural origin regarding differing behaviours, opinions, standards and values and make one's own position understandable in a transparent way. The term "intercultural communication" describes successful communication between individuals and organisations of a different cultural background based on this ability and competence.

Internal borders - external borders

In an EU context, internal borders constitute borders between EU Member States. External borders are between EU states and third countries. The creation of the European Single Market which also resulted in the abolition of all customs checks led to an area without internal borders. Finally, the Schengen Agreements also provided for free movement of people so that individuals can cross the internal borders between most EU states of the EU15 without border-controls, including Iceland and Norway. Only at the borders to Britain and Ireland do people still have to show identification. This is also true for those countries who joined the EU on 1 May 2004 and will presumably continue to be the case until the end of 2007. In contrast to the situation at internal borders, controls at external borders, among them airports and seaports, have become stricter.

=> Schengen

Internally displaced persons

Internally displaced persons have fled their homes because of conflicts or catastrophes but have not crossed any internationally accepted borders.

=> Flight migration

Labour migration, economic migration

Economic or labour migrants move to another country for employment reasons. Sometimes, the reasons are better prospects for work or job offers. In most cases, however, people move to escape from poverty and a lack of opportunity in the country of origin, hoping for a better life abroad. In essence, this type of migration is a result of the international gap between rich and poor, however, a clear distinction from a forced migration caused by extreme material plight is not always easy. As distinct from flight migration, where a person's centre of life is usually moved from the country of origin to another country, labour migration often occurs in the form of commuting or circular migration, meaning that the migrant's centre of life remains in the country of origin.

=> Brain drain, flight migration

Long-term residents

As of January 2006, a new residence title exists in the European Union (with the exception of Denmark, Ireland and the United Kingdom, cf. footnote 48): the "long-term residence permit - EC"³⁵, valid for at least five years and with an option for renewal. It is reserved for third-country nationals who have legally resided in an EU Member State for at least five years, and aims at adapting their status to that of country nationals, provided that they have sufficient income and health insurance.

In the country of residence, the new status grants third-country nationals access to employment, general and professional education, and at least to the core benefits of the social security system that is equal to that of nationals of the country or nationals of other EU countries, and the right to stay more than three months in another EU country. The access to the Union-wide job market, however, comes with certain restrictions for individuals eligible for long-term residence.

Migration management, migration policy

Migration management refers to the controlling of migration movements. States and groups of states, at least democracies, are not able to stop flows of migrants at their origin, meaning to prevent people from leaving their home countries. Therefore, it is mainly the destination countries who are trying to regulate the population movements through various reaction mechanisms. Migration policy is thus a conscious and targeted attempt by a state or a community of states to influence migration.

Mobility

Mobility is a synonym for "ability to move". It refers to a relatively permanent change of residence by people or groups of people. Unlike migration, the term "mobility" describes a positive event in EU terminology. EU citizens who make use of their right to freedom of movement and move to another EU member country are regarded as mobile. Yet third-country nationals transferring their residence to an EU state are called immigrants and as a group are often associated with problems.

Naturalization

Naturalization refers to obtaining citizenship by means of an administrative act.

Ombuds person, ombudsman

The Swedish word "ombudsman" means "intermediary". An ombuds person's task is to avoid unfair treatment of individuals or groups of people within an organisation or administration and to reconcile disputes in various fields by means of an impartial procedure, free from bureaucracy.

35 Based on Directive 2003/109 EC, cf. page 184

The ombudsman of the European Parliament handles complaints about the activities of EU institutions put forward by natural persons or legal entities who reside in or are based in the European Union³⁶

Principle of non-refoulement

The prohibition of refoulement is based on Article 33, section 1 of the Geneva Refugee Convention³⁷ and Article 3 of the European Convention on Human Rights (cf. page 58). According to this principle, refugees and asylum seekers must not be returned to a country where their life or freedom are in danger or where they will be persecuted, tortured and exposed to inhuman treatment or other severe human rights violations, no matter if they are at the borders or already within the territory of the country they have fled to or wish to flee to. Apart from the immediate return to the persecuting country, the prohibition of refoulement furthermore prohibits the deportation or sending away to countries that would allow further deportation to the persecuting country, so called "chain refoulement".

Prohibition of discrimination

The word "discriminate" is derived from Latin (*discriminare*) and in its original sense means "to separate". In general, the word discrimination designates any kind of treatment placing people at a disadvantage, that is based on specific criteria such as origin, ethnicity, religion and belief, political opinion, language, gender, sexual orientation, disability or external appearance (skin colour etc.).

Article 12 of the EC Treaty states that any discrimination for reasons of citizenship is illegal and prohibited (meaning the citizenship of an EU Member State). When the EC Treaty was reformed through the Treaty of Amsterdam and amended by Article 13 in 1997, the prohibition of discrimination was extended to cover criteria such as gender, race, ethnic origin, religion, political or any other opinion, disability, age and sexual orientation.

=> Anti-Discrimination, Article 13

Racism, racial discrimination

Racism means to consider one's own ethnic group as socially and culturally superior because of physical (i.e. skin colour) and attributed characteristics (such as the alleged mentality), and to regard other people as inferior.

The UN define racial discrimination as follows:³⁸ "Any distinction, exclusion, restriction or preference based on race, colour, descent or national or ethnic origin which has the

36 The ombudsman handles complaints about the following institutions: European Commission, Council of the European Union, European Parliament, European Court of Auditors, Court of Justice (however, no complaints related to the Court's judicial role), Economic and Social Committee, Committee of the Regions, European Central Bank, European Investment Bank and other Community institutions.

37 Geneva Convention on the legal status of refugees from 1951 and its additional protocol from 1967: Agreement on the legal status of refugees from 28 July 1951 (entry into force on 22 April 1954) and protocol on the legal status of refugees from 31 January 1967 (entry into force on 4 October 1967); on the internet at <http://www.unhcr.de/pdf/45.pdf>.

38 Anti-Racism Convention of the UN (see pages 50 ff.)

purpose or effect of nullifying or impairing the recognition, enjoyment or exercise on an equal footing, of human rights and fundamental freedom in the political, economic, social, cultural or any other field of public life."

Ratification, accession

Ratification is the act when a state bindingly declares its adherence to a bilateral or multilateral contract. As soon as the contract has been ratified, the contracting state must respect and implement its terms. The ratification is preceded by negotiations on the contract, its adoption by the contracting parties, which confirms the final wording of the text, and its signature. By signing the contract, a state shows its will to become a contracting party. The signature itself is not binding, but a signatory state is obliged to at least not act against the object and purpose of the contract until the state has made its intention clear not to become a party to the treaty (cf. Article 18 of the Vienna Convention on the Law of Treaties).

A state that has not participated in the negotiations leading to the adoption of the contract and has not signed the contract, can commit itself to implement and fulfil its terms by acceding to the contract subsequently, after the contract has come into force.

Readmission agreement

Readmission agreements are bilateral or multilateral contracts under international law regulating the return of foreigners required to return to their countries of origin and, increasingly, the deportation of third-country nationals and stateless people to transit countries. These agreements contain i.a. provisions for the determination of identity, citizenship etc. and for the issuing travel documents as well as simplified procedures for the handing over of individuals at borders without any formalities. Since the amendment of the EC Treaty through the Treaty of Amsterdam (=> European Community) on 1 May 1999, readmission clauses are usually included in all agreements between the Community and third countries (such as partnership agreements).

Recognised refugee

According to the EU definition³⁹ based on the Geneva Refugee Convention⁴⁰ recognised refugees are third-country nationals living outside their home country due to justified fear of persecution because of race, religion, citizenship, political opinion or affiliation with a certain social group or because they are unwilling or unable to rely on the protection of this country because of this fear. The term also refers to stateless

39 Article 2c, Directive 2004/83/EC of the Council dated 29 April 2004 regarding minimal standards for the recognition and status of third-country nationals or stateless people as refugees or individuals in need of international protection and regarding the contents of the protection granted, published in: Official Journal L304 from 30 September 2004. Internet: <http://eur-lex.europa.eu/JOHtml.do?uri=OJ:L:2004:304:SOM:EN:HTML>

40 See footnote 41

people staying outside their former home country for the same reasons and either not willing or unable to return because of fear. Third-country nationals covered by this definition who simultaneously fall under one of the exclusion reasons laid out in EU law (commitment of a severe crime) are not eligible to be regarded as refugees.

Remittances

Remittances refer to the money emigrants send back to their home country. The economic importance of these private money flows for the economic development of the home country is at the focus of many investigations in the field of development aid.

Resettlement

Apart from the integration process in the receiving country and the return to the home country (repatriation), resettlement to a third country is one of the options for refugees. International organisations call these long-term solutions "durable solutions". As part of the UN's resettlement programmes, refugees whose safety is in immediate danger in the country that received them or granted them refugee status in accordance with the Geneva Convention, are resettled in third countries willing to give them shelter. Initially, Australia, Denmark, Finland, Canada, New Zealand, the Netherlands, Norway, Sweden, Switzerland and the USA participated in the UN programmes. New participating nations are Argentina, Benin, Brazil, Burkina Faso, Chile, Ireland, Iceland, Spain and the UK.

Safe third country

The concept of "safe third country" was outlined in the early 1990s and is based on the belief that a person fleeing political persecution must seek shelter and protection in the first country where that is possible. Safe third countries are states where the application of the Geneva Refugee Convention, the additional protocol regarding the legal status of refugees from 1967⁴¹ and the European Convention on Human Rights is guaranteed. Critics of the third country provision often point out that the definition of a safe state is frequently based on official criteria such as the ratification of international agreements and does not sufficiently take into account the procedures practised by authorities in the respective state. EU states making use of the safe third country provision exclude asylum seekers from asylum procedures when these have crossed a country known as a safe third country during their flight, where, in the opinion of the responsible authorities, they had a genuine opportunity to request protection. (The fulfilment of the requirements for the safe third state is reviewed for every single case.)

41 See footnote 41

Schengen acquis, Schengen area

Both the agreement between Germany, France and the Benelux countries regarding the reduction of controls at the common borders and regulations for the free movement of people from 1985 (Schengen I) and the amending Schengen II Agreement, which was signed in 1990 but did not come into force until 1995, were named after the place where they were signed, the wine-producing town Schengen in Luxembourg. The Convention and its provisions establish the so-called "Schengen acquis", arrangements which, at the beginning, had no relation to community law and were conventional intergovernmental treaties. The Schengen acquis was later integrated into the EU and EC Treaties through a protocol to the Treaty of Amsterdam.

The Schengen area has been extended gradually. Italy signed the agreements in 1990, Spain and Portugal followed in 1991, Greece in 1992, Austria in 1995 and Denmark, Finland and Sweden in 1996. Iceland and Norway are also contracting parties. Ireland and the UK have not joined the agreements but can participate in all or certain parts of the Schengen acquis as outlined in the protocol mentioned above. Despite having signed the Schengen Convention, Denmark may, now that the Schengen provisions have been integrated into the EU and EC treaty, choose whether it wants to implement new decisions based on the Schengen acquis, or not. At the end of 2007, the Schengen acquis will fully apply to the new EU members and thus abolish identity checks at their EU internal borders.

=> Internal borders, European Community

Smuggling of humans

Migrants who use the services of traffickers have expressed their wish to be brought into a different country. The issue at stake is not the smuggling of people from countries which these are not allowed to leave, as was the case e.g. during the East-West conflict, but illegal entry into the destination country organised by so-called smuggling gangs for payment. The relationship between smugglers and migrants ends upon arrival in the respective country, unless the latter have indebted themselves and end up in a dependency relationship that may lead to forced labour.

Subsidiary, complementary protection

"Subsidiary" means supportive, assisting or provisional. General legal provisions, which are only applied when certain legal regulations cannot be used, are called "subsidiary rights".

Asylum seekers not fully meeting the criteria for refugee status but still in need of international protection are granted a subsidiary protection status in the EU based on international human rights agreements, in particular Article 3 of the European Convention on Human Rights and Fundamental Freedoms (ECHR, cf. pages 50 ff.), Article 3 of the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and Article 7 of the International Covenant on Civil and Political Rights. The minimum rights and benefits established by Community

Directive 2004/83/EC⁴², to be granted to both refugees and individuals with a subsidiary protection status in all EU states, differ depending on the type of protection. A person enjoying subsidiary protection is given a residence title valid for at least one year which may be renewed (political refugees: 3 years). People with a subsidiary status may only participate in integration programmes if the respective EU state considers this to be suitable. EU countries can limit certain social benefits for individuals with subsidiary protection to core benefits. People with special needs due to pregnancy, disability or psychological trauma, however, must be guaranteed the same treatment as citizens of that state. Adequate living conditions must also be ensured for family members of a person with that status.

Refugees are to be allowed to engage in employment as soon as they have obtained subsidiary protection status and should be given access to the same employment-related educational programmes for adults and minors as the national population, irrespective of their protection status.

Third-country nationals

Individuals who are not citizens of an EU Member State or state of the European Economic Area (EU states, Iceland, Liechtenstein and Norway) are called "third-country nationals".

Vulnerable groups

Groups of people that are more at a risk of suffering damage than the rest of society due to certain personal characteristics and/or external conditions are referred to as "vulnerable groups". In general, these are disadvantaged and endangered individuals in particular need of protection. Depending on the context, immigrants are regarded as a vulnerable group by others because of, e.g. lack of information, poverty, social isolation and/or resentment.

42 Source: See footnote 43

Internet Resources

Anti-Racism and Diversity Intergroup

Informal coalition in the European Parliament against racism and for diversity

Internet:

—— <http://www.enar-eu.org/anti-racism-diversity-intergroup>

The EU and Roma

Roma website of the European Commission

Internet:

—— http://europa.eu.int/comm/employment_social/fundamental_rights/roma/index_de.html

European Migration Dialog (EMD)

Internet:

—— <http://www.migpolgroup.com/topics/2075.html>

European Migration Network (EMN)

Internet:

—— http://www.emz-berlin.de/projekte/pj46_1.htm

Equinet - European Network of Equality Bodies

Internet:

—— <http://www.migpolgroup.com/topics/2078.html>

European Network of Independent Legal Experts in the Non-discrimination Field

Internet:

—— <http://www.migpolgroup.com/topics/2077.html>

European Platform for Migrant Workers' Rights

Internet:

—— <http://www.december18.net/web/general/page.php?pageID=300&menuID=36&lang=EN>

European Supplier Diversity Business Forum

Internet:

—— <http://www.migpolgroup.com/forum>

For Diversity. Against Discrimination

Information and awareness campaign of the EU

Internet:

—— <http://www.stop-discrimination.info>

Global Commission on International Migration (GCIM)

Internet:

—— <http://www.gcim.org>

I CARE - Internet Centre Anti Racism Europe

Internet:

—— <http://www.icare.to>

INACH - International Network against Cyber Hate

Internet:

—— <http://www.inach.net>

International NGO Platform on the Migrant Workers' Convention

Internet:

—— [http://www.december18.net/web/general/page.php?pageID=530&menuID=36
&lang=EN](http://www.december18.net/web/general/page.php?pageID=530&menuID=36&lang=EN)

Odysseus Network - Academic network for legal studies on immigration and asylum in Europe

Internet:

—— <http://www.ulb.ac.be/assoc/odysseus/index.html>

RelatED - Good Practices for learning to live together

Internet:

—— <http://www.ibe.unesco.org/learning/relatED.htm>

School Without Racism

Internet:

—— <http://www.schoolwithoutracism-europe.org>

The Metropolis Project - An international forum for research and policy on migrations, diversity and changing cities

Internet:

—— <http://international.metropolis.net>

UNITED for Intercultural Action - European network against nationalism, racism, fascism and in support of migrants and refugees

Internet:

—— <http://www.unitedagainstracism.org>

Virtual documentation centre on asylum, migration and integration

Collection of Internet documents of the European Commission's Directorate General Freedom, Security and Justice, where many of the following documents can be found.

Internet:

—— http://europa.eu.int/comm/justice_home/doc_centre/intro/wai/doc_intro_de.htm

EU Documents

Plan on legal migration

Communication of the Commission, published as document COM/2005/669 dated 21/12/2005

Internet:

—— http://europa.eu.int/eur-lex/lex/LexUriServ/site/de/com/2005/com2005_0669de01.pdf

Priority actions for responding to the challenges of migration: First follow-up to Hampton Court

Communication of the Commission to the Council and the European Parliament, published as document COM/2005/621 dated 30/11/2005

Internet:

—— http://europa.eu.int/eur-lex/lex/LexUriServ/site/de/com/2005/com2005_0621de01.pdf

A common agenda for integration - framework for the integration of third-country nationals in the EU

Communication of the Commission to the Council, the European Parliament, the Economic and Social Committee and the Committee of the Regions, published as document COM/2005/389 dated 01/09/2005

Internet:

—— http://europa.eu.int/eur-lex/lex/LexUriServ/site/de/com/2005/com2005_0389de01.pdf

The Hague programme on strengthening freedom, security and justice in the European Union

Communication of the Council, Brussels 4-5 November, published in Official Journal of the European Union C 53 dated 03/03/2005

Internet:

—— <http://europa.eu.int/eur-lex/lex/JOHtml.do?uri=OJ:C:2005:053:SOM:DE:HTML>

EU approach to managing economic migration

Green paper of the European Commission, published as document COM/2004/811 dated 11/01/2005

Internet:

—— http://europa.eu.int/eur-lex/lex/LexUriServ/site/de/com/2004/com2004_0811de01.pdf
<http://www.europa.eu.int/eur-lex/lex/LexUriServ/LexUriServ.do?uri=CELEX:52004DC0811:DE:NOT>

First annual report on migration and integration

Communication of the Commission to the Council, the European Parliament, the Economic and Social Committee and the Committee of the Regions, published as document COM/2004/508 dated 16/07/2004

Internet:

—— http://europa.eu.int/eur-lex/lex/LexUriServ/site/de/com/2004/com2004_0508de01.pdf
http://europa.eu.int/comm/employment_social/employment_analysis/docs/com_508_de.pdf

Study on the links between legal and illegal migration

Communication of the Commission to the Council, the European Parliament, the Economic and Social Committee and the Committee of the Regions, published as document COM/2004/412 dated 04/06/2004

Internet:

—— http://europa.eu.int/eur-lex/lex/LexUriServ/site/de/com/2004/com2004_0412de01.pdf
http://www.europa.eu.int/comm/justice_home/doc_centre/immigration/studies/doc_immigration_studies_de.htm

Equality and non-Discrimination in an enlarged European Union

Green Paper, published as document COM/2004/379 dated 28/05/2004

Internet:

- http://europa.eu.int/eur-lex/lex/LexUriServ/site/de/com/2004/com2004_0379de01.pdf
http://web20.s112.typo3server.com/fileadmin/pdfs/Reports/Green_Paper/grpap04_de.pdf

Immigration, integration and employment

Communication of the Commission to the Council, the European Parliament, the Economic and Social Committee and the Committee of the Regions, published as document COM/2003/336 dated 03/06/2003

Internet:

- http://europa.eu.int/eur-lex/lex/LexUriServ/site/de/com/2003/com2003_0336de01.pdf

Open method of coordination for the Community immigration policy

Communication of the Commission to the Council and the European Parliament, published as document COM/2001/387 dated 11/07/2001

Internet:

- http://europa.eu.int/eur-lex/lex/LexUriServ/site/de/com/2001/com2001_0387de01.pdf
http://www.europa.eu.int/comm/justice_home/doc_centre/immigration/work/doc_immigration_work_de.htm

Community immigration policy

Communication of the Commission to the Council and the European Parliament, published as document COM/2000/757 dated 22/11/2000

Internet:

- http://europa.eu.int/eur-lex/lex/LexUriServ/site/de/com/2000/com2000_0757de01.pdf

**Analyses, Reports and Comparative Studies****Admission of third-country nationals for paid employment or self-employed activity (study)**

ECOTEC Research & Consulting Limited, Ed.: European Commission, 2000

Internet:

- http://www.europa.eu.int/comm/justice_home/doc_centre/immigration/work/doc_immigration_work_de.htm

Admission of third-country nationals to an EU Member State for the purposes of study or vocational training and admission of persons not gainfully employed (study)

European Commission, 2000

Internet:

- http://europa.eu.int/comm/justice_home/doc_centre/immigration/studies/docs/icmpd_report_2000.pdf

A Guide for Non-Governmental Organisations on the Implementation of the UN Migrant Workers' Convention

Myriam De Feyter, René Plaetevoet, Eds.: December 18, August 2005 (available in English, French and Spanish)

Internet:

——— http://www.december18.net/web/general/pf_page.php?pageID=530&menuID=36&lang=EN

Benchmarking in Immigration and Integration

Han Entzinger, Renske Biezeveld (European Research Centre on Migration and Ethnic Relations - ERCOMER), Ed.: European Commission, August 2003

Internet:

——— http://europa.eu.int/comm/justice_home/doc_centre/immigration/studies/doc_immigration_studies_en.htm

Beyond the Common Basic Principles on integration: The next steps

Hywel Ceri Jones, Cristina Pineda Polo (European Policy Centre), Françoise Pissart, Thierry Timmermans (King Baudouin Foundation), Stephen Pittam (The Joseph Rowntree Charitable Trust), Issue Paper 27 (REVISED), April 2005

Internet:

——— http://www.kbs-frb.be/files/db/EN/Issue_Paper_Basic_Principles_on_Integration.pdf

Combating Religious and Ethnic Discrimination in Employment, From the EU and International Perspective

Barbara Liegl, Bernhard Perching, Birgit Weyss, European Network Against Racism - ENAR, April 2004

Internet:

——— http://web20.s112.typo3server.com/fileadmin/pdfs/Reports/ENAR_Combat_Rel_Discr.pdf

Comparative Report: Migrants, Minorities and Education

Dr Mikael Luciak, Ed.: European Monitoring Centre on Racism and Xenophobia (EUMC), June 2004

Internet:

——— <http://eumc.eu.int/eumc/material/pub/comparativestudy/CS-Education-en.pdf>

Comparative Report: Migrants, Minorities and Employment

Michael Jandl, Albert Kraler, Anna Stepien (International Centre for Migration Policy Development - ICMPD), Ed.: European Monitoring Centre on Racism and Xenophobia (EUMC), October 2003

Internet:

——— <http://eumc.eu.int/eumc/material/pub/comparativestudy/CS-Employment-en.pdf>

Comparative Report: Migrants, Minorities and Legislation. Documenting Legal Measures and Remedies against Discrimination in 15 Member States of the EU

Veronika Bilger, Haleh Chahrokh, Wolfgang Klug, International Centre for Migration Policy Development (ICMPD), Ed.: European Monitoring Centre on Racism and Xenophobia (EUMC), December 2004

Internet:

—— <http://eumc.eu.int/eumc/material/pub/comparativestudy/CS-Legislation-en.pdf>

Cultural Diversity and Mainstreaming in Employment

Dr. Jochen Blaschke, Nathalie Schlenzka, Berlin Institute for Comparative Social Research; study commissioned by the European Monitoring Centre on Racism and Xenophobia (EUMC), 2005

Internet:

—— <http://eumc.eu.int/eumc/material/pub/discussion/MainStreamFinRep.pdf>

Current Trends in International Migration in Europe - 2004 Report

Prof. John SALT, Council of Europe, Document CDMG (2005) 2, January 2005

Internet:

—— http://www.coe.int/t/E/Social_Cohesion/migration/Documentation/Publications%20and%20reports.asp

The Prohibition of Discrimination under European Human Rights Law

Prof. O. De Schutter, European Network of Legal Experts in the Non-discrimination Field, February 2005

Internet:

—— http://web20.s112.typo3server.com/fileadmin/pdfs/Reports/Prohibition_reports/prohib_de.pdf

De l'intégration des immigrés: le discours et la méthode

Ali Jaouani, Global Migration Perspectives No. 56, Ed.: The Global Commission on International Migration (GCIM), December 2005

Internet:

—— [http://www.gcim.org/mm/File/GMP%2056\(1\).pdf](http://www.gcim.org/mm/File/GMP%2056(1).pdf)

The Status Quo is not enough! A Guide to good practice for a non-discriminatory access services provided by NGOs

Roshan Di Puppo, Gabriela Sierck, Ed.: SOLIDAR, December 2001

Internet:

—— http://web20.s112.typo3server.com/fileadmin/pdfs/SOLIDAR_Guide_to_Good_Practice_GER.pdf

Developing Anti-Discrimination Law in Europe - The 25 EU Member States Compared

Mark Bell, Janet Cormack, European Network of Legal Experts in the Non-discrimination Field, September 2005

Internet:

—— http://web20.s112.typo3server.com/fileadmin/pdfs/Reports/Law_Report_2005/05compan_de.pdf

The Business Case for Diversity - Good Practises in the Workplace

European Commission, September 2005

Internet:

—— http://web20.s112.typo3server.com/fileadmin/pdfs/Reports/Business_Case_for_Diversity/busicase_de.pdf

Equal Rights in Practise: Key Voices 2004 - Critical factors and actors for enforcing the non-discrimination Directives

European Commission, 2004

Internet:

—— http://www.stop-discrimination.info/fileadmin/pdfs/Europ_ische_Inhalte/equal_rights/thembroch04_de.pdf

Equal Rights in Practise: Key Voices 2005 - Access to Justice

European Commission, March 2005

Internet:

—— http://web20.s112.typo3server.com/fileadmin/pdfs/Nationale_Inhalte/keyvoice05_de.pdf

Globalization, Labour and Migration: Protection is Paramount

Eduardo Geronimi, Patrick Taran, ILO series Perspectives on Labour Migration, 2003

Internet:

—— <http://www.ilo.org/public/english/protection/migrant/download/pom/pom3e.pdf>

Handbook on Integration for policy-makers and practitioners

Jan Niessen, Yongmi Schibel (Migration Policy Group - MPG), November 2004

Internet:

—— http://europa.eu.int/comm/justice_home/funding/doc/Handbook%20Integration.pdf

The Costs and Benefits of Diversity - A Study on Methods and Indicators to Measure the Cost-Effectiveness of Diversity Policies in Enterprises

European Commission, October 2003

Internet:

—— http://www.stop-discrimination.info/fileadmin/pdfs/costsbenefexsum_de.pdf

Critical review of academic literature relating to the EU directives to combat discrimination

European Commission, GD EMPL, Unit D/3, July 2004

Internet:

—— http://web20.s112.typo3server.com/fileadmin/pdfs/Nationale_Inhalte/UK/documents/CritRevueAcadLiterature.pdf

Labour immigration and integration in low and middle-income countries: Towards an evaluation of the effectiveness of migration policies

J. Doomernik, ILO publication series International Migration Papers, IMP 24, 1998

Internet:

—— <http://www.ilo.org/public/english/protection/migrant/download/imp/imp24.pdf>

Managing diversity, fighting racism or combating discrimination? A critical exploration

John Wrench, June 2003

Internet:

—— http://www.gleiche-chancen.at/htm/Wrench_budapest.pdf

Measurement and indicators of integration

Council of Europe, Directorate of Social and Economic Affairs, 1998

Internet:

—— http://www.coe.int/t/E/Social_Cohesion/migration/Documentation/Publications%20and%20reports.asp

Methods and indicators to measure the cost-effectiveness of diversity policies in enterprises

Final report, Centre for Strategy & Evaluation Services, October 2003

Internet:

—— http://www.europa.eu.int/comm/employment_social/fundamental_rights/pdf/pubs/bsg/costsbeneffullrep_de.pdf

Migrants, labour markets and integration in Europe: a comparative analysis

Rainer Münz, Global Migration Perspectives No. 16, Ed.: The Global Commission on International Migration (GCIM), October 2004

Internet:

—— <http://www.gcim.org/attachements/GMP%20No%2016.pdf>

Migration and industrial relations

Marianne Grünell, Robbert van het Kaar (Hugo Sinzheimer Institute, University of Amsterdam), Ed.: European Foundation for the Improvement of Living and Working Conditions, May 2003

Internet:

—— <http://www.eiro.eurofound.eu.int/2003/03/study/index.html>

Migration in an interconnected world, New directions for action, Report of the Global Commission on International Migration

The Global Commission on International Migration (GCIM), October 2005

Internet:

—— <http://www.gcim.org/attachements/gcim-complete-report-2005.pdf>

Policy measures to ensure access to decent housing for immigrants

Bill Edgar (Joint Centre for Scottish Housing Research), December 2004

Internet:

—— http://europa.eu.int/comm/employment_social/social_inclusion/studies_de.htm

Remedies and Sanctions in EC Non-Discrimination Law, Effective, proportionate and dissuasive national sanctions and remedies, with particular reference to upper limits on compensation to victims of discrimination

Prof. Christa Tobler, European Network of Legal Expert in the Non-discrimination Field, June 2005

Internet:

—— http://web20.s112.typo3server.com/fileadmin/pdfs/Nationale_Inhalte/UK/documents/remsan_en.pdf

Status reports on the implementation of anti-discrimination Directives (race/ethnic origin, religion/political or other opinions)

Reports (summaries) of the Group of Independent Experts, June 2004

Internet:

_____ http://www.europa.eu.int/comm/employment_social/fundamental_rights/public/pubsg_de.htm#Rasse

Ten Ways to Protect Undocumented Migrant Workers

Michele LeVoy, Nele Verbruggen, Ed.: PICUM, October 2005

Internet:

_____ <http://www.picum.org>

The effectiveness of employment equality policies in relation to immigrants and ethnic minorities in the UK

John Wrench, T. Modood, ILO series International Migration Papers, IMP 38, 2001

Internet:

_____ <http://www.ilo.org/public/english/protection/migrant/download/imp/imp38.pdf>

The effectiveness of integration policies towards immigrants and their descendants in France, Germany and the Netherlands

J. Doomernik, ILO series International Migration Papers, IMP 27, 1998

Internet:

_____ <http://www.ilo.org/public/english/protection/migrant/download/imp/imp27.pdf>

The Legal Status of Third Country Nationals who are long-term Residents in a Member State of the European Union

Centre for Migration Law, University of Nijmegen, April 2000 (published in English and French)

Internet:

_____ http://www.europa.eu.int/comm/justice_home/doc_centre/immigration/residents/doc_immigration_residents_de.htm

Towards a fair deal for migrant workers in the global economy, Report VI

International Labour Conference, 92nd Session, 2004, Sixth item on the agenda, International Labour Office Geneva, 2004

Internet:

_____ <http://www.ilo.org/public/english/standards/relm/ilc/ilc92/pdf/rep-vi.pdf>

Towards Common Measures for Discrimination: Exploring possibilities for combining existing data for measuring ethnic discrimination

Centre for Combating Ethnic Discrimination, Danish Institute of Human Rights, 2005, ISBN: 82-8000-015-1 (Printed edition), 82-8000-014-3 (pdf)

Internet:

_____ http://www.smed.no/commonmeasures/TowardsCommonMeasures_2005.pdf

Towards the Integration of Refugees in Europe, The Way Forward, Europe's role in the global refugee protection system

David Hudson (British Refugee Council), Roswitha Weiler (Dutch Refugee Council), Patricia Coelho, Henry Mårtenson, Clara Odofin, Christiane Wirth (ECRE), Ed.: European Council on Refugees and Exiles (ECRE), July 2005

Internet:

—— <http://www.ecre.org/positions/Integration%20Way%20Forward.pdf>

Comparative study on the collection of data to measure the extent and impact of discrimination within the United States, Canada, Australia, the United Kingdom and the Netherlands

European Commission, Directorate-General for Employment, Social Affairs and Equal Opportunities, Unit D/3, August 2004

Internet:

—— http://web20.s112.typo3server.com/fileadmin/pdfs/Reports/ComparativeStudy/compstud04_de.pdf or <http://www.stop-discrimination.info/5373.0.html>

Appendix I: Statistics

Migration and Integration - Facts and Figures

Data concerning migration are collected on a regular basis by the Statistical Office of the EU, Eurostat, and by the Organisation for Economic Co-operation and Development (OECD). In this context, the following sources, which were also used in compiling this handbook, deserve particular mention: Europe in figures, Eurostat yearbook 2005; Trends in international migration - SOPEMI report 2004, OECD 2005; OECD in figures - 2005 edition and OECD Database on immigrants and expatriates.

Complementing chapter 1.2, the following information refers to the main topics:

- Immigrants' countries of origin
- Population share of foreigners
- EU citizens' attitude towards migration
- Level of education and origin

Table I.1

Countries of origin of the foreign-born population (absolute figures in thousands or %)

Country	Africa total	Share North Africa	Asia total	Share China/Taiwan	Latin America	North America	Caribbean	Oceania	EU25	Europe
Belgium	247.5	56.5%	68.5	13.7%	20.4	18.1	3.9	1.5	621.5	117.8
Denmark	31.9	20.5%	110.5	4.2%	9.2	11.1	0.8	2.2	118.0	77.4
Germany ¹⁾	175.7	29.2%	567.0	./.	47.6	81.3	./.	./.	2,552.6	5,244.6
Finland	9.7	18.4%	18.4	11.5%	1.8	4.1	0.3	0.8	51.7	44.8
France	2,862.6	80.2%	444.8	8.3%	79.9	58.4	24.8	6.2	1,978.9	412.5
Greece	58.3	2.4%	75.9	0.9%	5.5	35.7	1.1	21.1	191.0	733.2
Ireland	26.7	4.6%	22.8	26.8%	2.8	25.6	0.7	8.4	291.3	16.4
Luxemburg	5.7	19.9%	4.3	27.4%	1.6	1.4	0.3	0.1	116.3	11.9
Netherlands	280.0	58.4%	367.9	9.4%	221.6	29.9	93.3	13.2	340.2	269.2
Austria	19.9	17.9%	57.2	14.4%	6.1	9.0	./.	1.9	364.6	527.0
Poland	2.9	25.0%	9.5	7.0%	0.9	10.6	0.2	0.7	248.9	483.2
Portugal	349.9	0.5%	16.9	14.2%	74.9	14.6	0.9	1.3	159.0	34.0
Sweden	78.0	12.8%	244.2	5.0%	59.9	17.6	2.8	3.4	456.3	215.2
Slovakia	0.4	12.4%	1.4	10.1%	0.2	0.9	0.08	0.06	99.9	16.1
Spain	423.1	81.3%	86.7	33.3%	744.2	25.1	95.9	4.4	597.9	194.7
Czech Republic	2.4	24.8%	21.4	5.9%	0.9	2.7	0.6	0.3	344.3	75.9
Hungary	2.7	19.2%	10.7	37.3%	0.8	3.2	0.4	0.3	65.1	209.8
UK	838.5	3.1%	1,579.1	9.8%	95.4	238.0	232.9	170.3	1,493.2	175.6

Date: 2004.

Source: OECD

1) EU25 column only contains people born in the EU15 area (without Germany), Poland and Hungary.

Table I.2

Share of population with foreign citizenship and born abroad (figures in % of the total population)

Country	Born abroad	Foreign citizenship
Belgium ⁴⁾	10.7	8.2
Denmark⁴⁾	6.8	5.0
Germany ⁶⁾	12.5	./.
Finland²⁾	2.5	1.7
France ¹⁾	10.0	5.6
Greece³⁾	10.3	7.0
Ireland ⁴⁾	10.4	5.9
Luxemburg³⁾	32.6	36.9
Netherlands ³⁾	10.1	4.2
Austria³⁾	12.5	8.8
Poland ⁴⁾	2.1	0.1
Portugal³⁾	6.3	2.2
Sweden ⁵⁾	12.0	5.3
Slovakia³⁾	2.5	0.5
Spain ³⁾	5.3	3.8
Czech Republic³⁾	4.5	1.2
Hungary ³⁾	2.9	0.9
UK³⁾	8.3	./.

Date: 1) = 1999; 2) = 2000; 3) = 2001; 4) = 2002; 5) = 2003; 6) = 1999-2002

Source: OECD

Table I.3
Residents born abroad holding citizenship of the residence country

Country	Born abroad	Citizenship of residence country	Share in %
Belgium	1,098,260	447,555	40.8
Denmark	361,053	145,508	40.3
Finland	129,998	54,131	41.6
France	5,868,242	3,114,654	53.1
Greece	1,122,547	466,165	41.5
Ireland	396,005	179,034	45.2
Luxemburg	142,652	18,590	13.0
Netherlands	1,615,377	1,050,600	65.0
Austria	1,001,513	408,093	40.7
Poland	771,628	741,880	96.1
Portugal	650,990	431,357	66.3
Sweden	1,077,596	672,990	65.2
Slovakia	116,795	98,392	84.2
Spain	2,172,201	671,514	30.9
Czech Republic	447,766	357,355	79.8
Hungary	292,744	208,259	71.1

Date: 2004; Source: OECD

Table I.4
Further findings of the European Social Survey (cf. table 2 on page 22)

Country ¹⁾	Negative opinion about migrants	Negative opinion about asylum seekers	Avoid contact with ethnic minorities	Favour deportation of criminal migrants
Belgium	44.16	48.41	25.21	63.44
Denmark	50.45	19.02	17.35	43.83
Germany	West: 37.8; East: 47.54	West: 27.97; East: 39.78	West: 16.03; East: 21.39	West: 75.19 East: 83.88
Finland	59.24	15.10	18.43	59.34
Greece	87.48	31.13	39.33	87.27
Ireland	35.27	28.44	19.37	59.82
Italy	36.50	27.93	27.75	79.88
Luxemburg	52.74	15.14	9.09	46.28
Netherlands	42.95	36.47	17.74	66.47
Austria	64.37	25.15	11.42	61.46
Poland	43.77	16.72	19.50	78.08
Portugal	62.47	23.89	18.24	83.21
Sweden	14.64	10.94	9.06	49.32
Slovenia	43.20	34.70	26.99	69.59
Spain	50.24	18.37	16.45	64.62
Czech Republic	49.76	29.99	30.99	86.74
Hungary	86.53	47.47	22.18	91.9
UK	51.04	47.88	18.86	60.34

1) No ESS in: Estonia/France/Latvia/Lithuania/Malta/Slovakia/Cyprus
Source: Eurostat EUMC

Table I.5
Population (above 15 yrs.) - educational level and origin (in %)

Country	Born in the country			Born abroad		
	No secondary degree	Secondary / post-secondary degree	University degree	No secondary degree	Secondary / post-secondary degree	University degree
Belgium	46.8	30.3	22.9	54.2	24.2	21.6
Denmark	41.0	40.2	18.8	48.6	31.9	19.5
Germany	23.7	56.8	19.5	43.7	40.8	15.5
Finland	40.3	36.3	23.4	52.7	28.4	18.9
France	45.8	37.4	16.9	54.8	27.2	18.1
Greece	54.4	32.2	13.4	44.8	39.9	15.3
Ireland	47.8	29.5	22.7	29.6	29.3	41.0
Luxemburg	28.7	58.6	12.8	36.7	41.6	21.7
Netherlands	40.7	39.8	19.5	53.0	29.4	17.6
Austria	33.4	55.7	10.9	49.4	39.3	11.3
Poland	31.2	58.4	10.4	47.9	40.3	11.9
Portugal	80.0	12.2	7.7	54.7	25.9	19.3
Sweden	25.0	52.2	22.8	29.6	46.2	24.2
Slovakia	28.0	62.0	10.0	29.3	56.1	14.6
Spain	63.9	16.7	19.4	55.4	22.8	21.8
Czech Republic	22.8	67.0	10.2	38.4	48.8	12.8
Hungary	45.1	44.2	10.7	41.1	39.1	19.8
UK	51.2	28.7	20.1	40.6	24.5	34.8

Date: 2004 ; Source: OECD

Appendix II: Chartered rights

UN Conventions

International Convention on the Elimination of all forms of Racial Discrimination (ICERD)
from 7 March 1966 - in force since 1969

SOURCE:

http://www.un.org/Depts/german/menschenrechte/cerd_c35_rev3.pdf

The International Convention on the Elimination of all Forms of Racial Discrimination, also referred to as Anti-Racism Convention, was created in light of the Holocaust, decolonisation, segregation in the US and apartheid in South Africa. Adopted by the UN general assembly on 21 December 1965, the agreement was signed on 7 March 1966 and entered into force on 4 January 1969 after the 27th ratification certificate had been signed, and thus seven years earlier than the Covenant on Economic, Social and Cultural Rights of 1966 (cf. page 51) which also contains provisions on the prohibition of racial discrimination.

According to the agreement, the term "racial discrimination" means "any distinction, exclusion, restriction or preference based on race, colour, descent or national or ethnic origin which has the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise on an equal footing, of human rights and fundamental freedom in the political, economic, social, cultural or any other field of public life". Discrimination on the grounds of citizenship is not included.

To date, 117 states have ratified the Convention and have pledged to combat racial discrimination by avoiding discriminating acts committed by the state, preventing discriminating acts by non-state entities and through legal measures and the support of organisations involved in integration as well as by means of suitable programmes and awareness campaigns for the reduction of prejudice.

Furthermore, Article 5 of the Convention confirms each individual's fundamental right to equality before the law, civil rights, social, cultural and economic rights irrespective of the person's race, skin colour, national origin or ethnic group as well as the right to work, free choice of employment, fair and satisfactory working conditions, protection from unemployment, equal pay for the same work, fair and satisfactory remuneration and the right to establish and join unions.

Article 1 (2) states that the provisions of the Convention do not apply to differentiations, exclusions, limitations or preferences imposed by a contracting state between its own citizens and foreigners.

International Convention on the protection of the rights of all migrant workers and members of their families (CMW) from 18 December 1990, in force since 2003

SOURCE:

<http://www.ohchr.org/english/law/cmw.htm>

In December 1990, the General Assembly of the UN adopted the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families. It has been in force since 3 July 2003. However, only 29 states have so far ratified the Convention, which was the result of a common initiative by Mexico and Morocco in the late 1970s. In Europe, only Bosnia-Herzegovina acceded to the Convention in 2003 and Turkey ratified it in 2005.

The Convention has a broad scope and is the first universal codification of rights for people who plan to take up employment abroad, who engage in paid employment abroad or have done so in the past, for their spouses or, if provided for by national laws, partners, as well as for their children and parents entitled to alimony. This treaty under international law applies to all migrant workers living and working within the territory of a contracting state, whether their country of origin has signed the Convention or not.

As opposed to the ILO Conventions described below, the International Convention on the Protection of Migrant Workers also includes cross-border commuters, self-employed persons and even workers in irregular employment. Excluded are state employees or employees of international organisations, development aid workers, investors, refugees and stateless individuals, students, trainees, sailors and off-shore workers without permission to take up residency in the country they work in.

The Convention's 93 Articles are divided into nine sections.

Section I defines the scope and contains definitions. Section II, consisting of only one article, contains the principle of non-discrimination.

Section III comprises 27 articles on the fundamental rights of all people and once again focuses explicitly on migrant workers and their families as defined above, which means that it includes irregular workers. In this section, the

agreement contains a synthesis of the relevant provisions to be found in the Universal Declaration of Human Rights from 1948 and the six most important UN instruments for human rights that were ratified by all 25 Member States and the EU accession and candidate countries Bulgaria, Croatia, Macedonia, Romania and Turkey.

The next 20 articles in section IV only apply to migrant workers and their families who legally reside in the country where they are employed. Beginning with the right to full information about immigration and residence regulations as well as living and working conditions in the employment country before emigration, the document defines the right to leave the employment country at a later point of time without losing residence or work permit and the right to move and settle freely within the territory of the employment country. Also included are union rights and the right to participate in elections at home, both as candidates and voters. With regard to school education, job placement services, professional education, retraining etc., migrant workers are to have the same rights as national citizens. The same applies to treatment at work, protection against dismissal, unemployment benefits, participation in governmental programmes to fight unemployment and the right to take up a different employment. In case a migrant worker loses his or her job before the residence permit expires, the unemployment status shall not result in loss of the residence status, unless the status was explicitly tied to the employment. The Convention aims at protecting migrant workers from arbitrary eviction and unauthorised withdrawal or destruction of documents. However, restrictions (section V) apply to the provisions in section IV for certain categories of migrant workers such as self-employed persons, seasonal workers and cross-border commuters. Dealing with the promotion of solid, fair, humane and legal provisions concerning international migration of workers and their families, section VI focuses on how to manage irregular migration and irregular employment. Like the other six important international agreements on human rights, section VII concludes with establishing a Treaty Body. This body of independent experts monitors the application of the treaty regulations by the contracting states on a national level. The treaty text ends with general and concluding provisions.

**C 97: Convention concerning Migration for Employment,
1949, in force since 1952**

SOURCE:

<http://www.ilo.org/ilolex/german/docs/gc097.htm>, <http://www.ilo.org/ilolex/cgi-lex/convde.pl?C097>

During its 32nd session in Geneva on 1 July 1949, the International Labour Conference adopted a new version of the first agreement on labour migration dating back to 1939. ILO Convention 97, in force since 22 January 1952, applies only to the 45 ILO members (state of affairs in January 2006) who ratified it, among them the European nations Albania, Belgium, Bosnia-Herzegovina, Germany, France, Italy, Moldova, the Netherlands, Norway, Portugal, Slovenia, Spain, Macedonia, the UK and Cyprus.

The Convention's scope is limited to migrant workers who emigrate to another country for employment reasons have a permit for entering the country and a residence permit. The following regulations in particular protect the rights of foreign workers:

Article 6 obliges the country ratifying the Convention to comply with the principle of non-discrimination and to treat foreign workers in the same way as nationals. The purpose of this provision is to prevent, on the one hand, the creation of second-class employment and, on the other hand, the exposure of the national workforce to social dumping and salary dumping. The principle of non-discrimination applies (in as far as these issues are regulated by laws or controlled by the administrative authorities) in particular to employment conditions (remuneration including additional family allowances, working hours, overtime, paid holiday, limitation of homework, minimum age for employment, education and training and employment of women and young people) and accommodation. Foreign employees also are to have the right to join a union and to profit from collective agreements. The employer will have to pay the same non-wage labour costs for foreign employees as for national employees. With some restrictions, the principle of equal treatment also applies to social security. In accordance with the Convention, migrant workers have a right to make use of legal means against the residence country in case of unequal treatment in the fields mentioned.

If a foreign worker cannot fulfil his or her duties due to illness or injury contracted after immigration, the Convention prohibits the eviction of the

worker and the worker's family. The responsible national authority may, however, restrict the application of this provision to become valid only after up to five years after the immigration of the migrant worker.

The Convention contains three appendices. At the time of ratification, countries may choose not to adopt all of these. Two appendices deal with the recruitment, employment and employment conditions of migrant workers, whereas the second appendix refers to those migrant workers recruited in a group within the context of an agreement concluded under governmental control. The first appendix, however, applies to all those migrant workers who are placed into a job abroad by labour offices -if admissible in accordance with national laws and bilateral treaties-, future employers or any agency authorised for such recruitment campaigns. Both appendices contain provisions for the protection of migrant workers prior to their emigration: National authorities of the recruiting country have to make sure, for example, that immigrants receive information about working and living conditions and that the terms of employment are agreed by contract before the workers leave their home country. Finally, the responsible national departments in the employment country are to initially support and help the migrant workers and their families in any way they can. Should a recruited foreign worker not obtain the position he or she was recruited for nor another suitable job due to reasons he or she is not responsible for, the worker should not have to pay for his or her return and that of the family at his or her own expense. In case the employment a migrant worker was recruited for turns out not to be suitable, or in case of dismissal, the responsible authorities shall help the migrant worker in finding a new employment, however, without discriminating against national job seekers, and if necessary, support him or her through subsistence benefits. The last appendix deals with the duty free import and export of personal belongings, including tools and work equipment, of migrant workers and their relatives.

R 86: Migration for Employment Recommendation, 1949**SOURCE:**

<http://www.ilo.org/ilolex/german/docs/rec086.htm>, <http://www.ilo.org/ilolex/cgi-lex/convde.pl?R086>

The International Labour Conference complemented the Convention on Migrant Workers on the day of its adoption by a recommendation consisting of eight paragraphs, followed by a bilateral sample Convention to be concluded

with regard to the temporary and permanent migration of employees including refugees and displaced persons. Paragraph II reads: "It should be the general policy of Members to develop and utilise all possibilities of employment and for this purpose to facilitate the international distribution of manpower and in particular the movement of manpower from countries which have a surplus of manpower to those countries that have a deficiency." In this sense, the remaining paragraphs define measures for facilitating migration such as the guaranteed housing, food and clothing for migrant workers after their arrival in the destination country, schooling and professional training as well as -at least in the case of workers who were recruited on the basis of agreements concerning group migrations- medical care equal in nature to that provided to the native population. In their home countries, returning migrant workers should not be denied social support and participation in measures that aim at facilitating re-entry in the national labour market. Apart from that, the recommendation focuses on the legitimisation of intermediaries responsible for the recruitment of employees abroad and on the management and tasks of the authorities responsible for recruitment, immigration procedures and job placement already outlined in Appendices I and II. In this context, the recommendation mentions preparatory courses to facilitate integration of the migrants, an issue where the "countries of emigration and immigration should mutually agree to organise such courses." Furthermore, the recommendation deals with the exchange of information about the respective national emigration and immigration laws between countries and the International Labour Organisation. A sample Convention contained in the appendix aims at the conclusion of agreements between countries regarding the establishment of procedures for implementation of the Convention and the complementary recommendation.

R 100: Recommendation concerning the Protection of Migrant Workers in Underdeveloped Countries and Territories, 1955

SOURCE:

<http://www.ilo.org/ilolex/english/docs/rec100.htm>, <http://www.ilo.org/ilolex/cgi-lex/convde.pl?R100>

Adopted at the 38th session of the International Labour Organisation in June 1955, the recommendation only refers to European countries with dependent

territories outside the mother country. Due to the process of decolonisation, the importance of this ILO document has been reduced significantly.

The recommendation deals with the protection of migrant workers and their families on their journey to and out of the employment country and for the time before and during their employment as well as with the permanent settlement of migrant workers.

C 143: Convention concerning Abusive Conditions and the Promotion of Equality of Opportunity and Treatment of Migrant Workers, 1975, in force since 1978

SOURCE:

<http://www.ilo.org/ilolex/german/docs/gc143.htm>, <http://www.ilo.org/ilolex/cgi-lex/convde.pl?C143>

This Convention was adopted at the 60th session of the International Labour Conference on 24 July 1975, and had been ratified by 19 states in January 2006 (among them the European countries Bosnia-Herzegovina, Cyprus, Italy, Macedonia, Norway, Portugal, San Marino, Slovenia and Sweden). It is divided into three sections, with the last of these focusing on provisions for the ratification and entry into force etc.

The first section, called "Migrations in abusive conditions" primarily deals with the prosecution and punishment of smugglers and employers employing migrants without documentation. The Convention only protects those who legally stay in the country for reasons of employment and those who lose their employment: Article 8 defines that the mere loss of employment does not justify withdrawal of the residence or work permit. Foreigners allowed to work and reside in the employment country should have the same rights as the national population concerning protection from dismissal, support for finding a job, employment programmes and re-training measures. In line with Article 9, even irregular employment shall entitle migrant workers and their families to remuneration, social security and other benefits. In case of disputes, the worker or a representative shall be able to enforce these entitlements. If illegal workers and their relatives are evicted from the country, they shall not have to pay for their return.

The second section of the Convention concentrates on equal treatment of foreign employees and their family, in particular concerning employment and working conditions, social security, the right to union membership, cultural

rights and individual and collective liberties. Beyond the provisions of the agreement, ILO Member States are to co-operate with employer and employee associations and other suitable institutions to help implement a policy of equal opportunity and equal treatment of migrant workers.

Educational programmes and other measures are to shape migrants' awareness for their rights and duties. At the same time, the state is to support the efforts of migrant workers and their families to maintain their national and ethnic identity and cultural connections to their country of origin, for example by teaching children their mother tongue. Article 13 concerning the right to family reunion is an optional provision. The ILO defines the term "family" as the migrant worker's spouse and children and parents entitled to alimony.

The Agreement allows Member States to limit the right to change employment for a maximum of two years and to limit access to certain employment categories, if this is in the national interest of the Member State.

R 151: Recommendation concerning Migrant Workers, 1975

SOURCE:

<http://www.ilo.org/ilolex/german/docs/rec151.htm>, <http://www.ilo.org/ilolex/cgi-lex/convde.pl?R151>

This recommendation on migrant workers from 1975 contains provisions the implementation of which would be desirable, as they are in the interest of migrant workers. It also focuses on migrants without legal residence status. The recommendation is divided into three sub-sections named "Equality of Opportunity and Treatment", "Social Policy" and "Employment and Residence". The last section demands, for example, that migrant workers should be able to appeal before an administrative or judicial institution in case of dismissal or expulsion orders in the residence country and that their residence permit should not be withdrawn due to termination of employment or while court proceedings are still ongoing. Just like national employees, they should be entitled to re-employment, compensation or to access to a new job. Irrespective of whether their residence was legal or irregular, migrant workers leaving the country of employment should be entitled to certain claims. Among others, these include the following: any outstanding payment for work performed and, in case the employment was terminated, outstanding compensation, benefits due to employment accidents and injury and, in

accordance with national laws, compensation for leave not taken and reimbursement of social security contributions which have not given rise to rights.

Conventions of the Council of Europe

**European Convention on the Legal Status of Migrant Workers,
(No. 193) 1977, in force since 1983**

SOURCE:

<http://Conventions.coe.int/Treaty/ger/Treaties/Html/093.htm>

The elaboration of a European Convention on the legal status of migrant workers was included in the agenda of the Committee of Ministers as early as 1966. However, more than a decade passed before the text of the European Convention was finally adopted by the Committee in May 1977 (two-thirds majority of the votes cast and majority of the representatives entitled to vote). Since 24 November 1977, the Convention can be signed by the members of the Council of Europe. Yet, only 14 states have signed it so far. In order for it to enter into force, the Convention had to be ratified, adopted or approved by five states, which was achieved on 1 May 1983.

Out of the now 25 EU Member States, all whom are Council of Europe members, ten have signed the Convention but only six have ratified it⁴³. Apart from these six EU countries, the Convention is also in force in Norway and Turkey. If Moldova and Ukraine were to ratify the Convention, following their signing of it in 2002 and 2004, its geopolitical relevance could soon increase.

The scope of the European Convention is limited to migrant workers who are citizens of a signatory state and who legally reside in another contracting state for reasons of employment. Excluded are cross-border commuters (employees not residing in their employment country), temporarily employed individuals pursuing free professions such as artists and professional sportsmen, sailors, interns, seasonal workers and foreign employees of companies based outside the employment country.

The aim of the Convention is to regulate the legal status of migrant workers so that they can enjoy the same living and working conditions as employees who are nationals of the employment country. In addition, the social status of migrant workers and their families is to be improved.

43 Signing and ratification: France, Italy, Netherlands, Portugal, Spain and Sweden.
Signing: Belgium, Germany, Greece and Luxemburg.

According to Article 36 of the Convention, each state may express doubts and reservations concerning a maximum of nine articles, with the exclusion of the nine most important articles.

These nine obligatory articles essentially deal with a certain legal certainty for the crossing of state borders and for residence in the employment country. In Article 4, each contracting state guarantees migrant workers who are citizens of the country in questions the right to departure and foreign migrant workers in possession of a residence permit and other necessary documentation the right to entry. Articles 8 and 9 refer to the issuing and renewal of work and residence permits; Article 12 deals with the right to family reunion, concerning spouses and minor, unmarried children supported by the migrant worker. In line with the Convention, national law can allow for a waiting time of no more than 12 months prior to the family's entry and may base the permission for family reunion on the migrant worker's living situation and income. The treaty text also enables Member States to suspend the right to family reunion in certain regions in case of limited receiving capacities (housing, schools, health system). Regarding working conditions, each contracting state guarantees foreign workers equal treatment concerning legal or administrative provisions, collective agreements and Conventions (Article 16).

Article 17 was deemed particularly important as it allows migrant workers to transfer their income and savings (abroad) if desired, which is also true, as expressly stated, for potential alimony payments the migrant worker is obliged to make and for amounts the he or she may be entitled to after having left the employment country.

In light of their particular situation, Article 20, named "Industrial accidents and occupational diseases - Industrial hygiene", grants migrant workers the same rights and protection concerning safety measures and health protection at the workplace as national employees, including the entitlement to vocational rehabilitation following sickness or injury.

If a migrant worker loses his or her work due to reasons he cannot be held accountable for, the responsible authority in the employment country must help him find a new employment and provide measures such as re-training based on the corresponding national provisions (see Article 25).

The nine core provisions of the Convention also include Article 26, concerning access to courts and authorities of the receiving country. Article 26.1 grants migrant workers equal entitlement to full legal and judicial protection of their person, their belongings and interests. These rights, already laid down in other international legal instruments, were included in the Convention specifically

because not all members of the Council of Europe granted the right to legal aid and, in case of communication difficulties, interpreting services, set out in Article 26.2.

Council Directive 2003/109/EC of 25 November 2003, concerning the status of third-country nationals who are long-term residents**SOURCE:**

Official Journal L 16/2004, <http://europa.eu.int/eur-lex/lex/JOHtml.do?uri=OJ:L:2004:016:SOM:DE:HTML>

Directive 2003/109/EC on the status of third-country nationals who are long-term residents introduces a new residence title, "the long-term residence permit" open for renewal, in all EU states with the exception of Denmark, Ireland and the UK⁴⁴. The title is reserved for third-country nationals who have resided legally in an EU member country for at least five years immediately prior to applying for the residence title. Continuous stays outside of this country lasting less than six months and not exceeding a total of ten months during the period of five years are tolerated. Periods of professional education or studies are taken into account by 50% only, stays based on a limited residence permit, as au pair, seasonal worker or service provider, asylum seeker or refugee are not taken into account. The status of third-country nationals who profit from the new regulation is to be equal to that of nationals, provided they have sufficient health insurance and income to support themselves and their families entitled to alimony, without having to rely on social benefits. Sufficient income is determined depending on type, frequency and, if applicable, minimum wages or minimum pensions.

The new residence status grants third-country nationals the right to equal treatment in the following areas:

- Equal access to employment (self-employed or employed) with the exception of public services; equal employment and working conditions including dismissal terms and payment. However, the Member States can limit access to types of employment reserved for their own nationals, Union and EEA citizens⁴⁵ according to national or Community legal provisions.

44 In protocols to the EU Treaty, both Denmark and Ireland as well as the UK agreed upon the right not to participate in the adoption of measures based on section IV of the EC Treaty referring to visa, asylum, immigration and other policies concerning the free movement of people. Therefore, the corresponding Directives, regulations etc. are neither binding nor applicable to these countries. However, the UK and Ireland can participate in the adoption and implementation of measures if desired, and Denmark as well as Ireland may inform the other members at any given time that it wishes to renounce the exceptions laid down in the protocols.

45 EEA: European Economic Area: EU 25 + Iceland, Liechtenstein and Norway.

- In correspondence with national law, long-term residents have equal access to general and vocational education programmes, including scholarships and grants. Required language skills and necessary qualifications for university studies may be subject to verification.
- Diplomas, certificates and other documents will be approved on the basis of appropriate national procedures.
- Long-term residents have a right to the resident country's standard social security, welfare and social protection. However, each EU state may limit welfare benefits and social protection for third-country nationals to core benefits.
- Long-term residents are allowed to make use of tax benefits in the same way as nationals.
- Individuals with a long-term residence permit - EC are to be given equal access to, in particular, the delivery of goods, public services and procedures for the allocation of housing.
- They enjoy freedom of association, may join trade unions, employer associations and other professional organisations and are entitled to the benefits offered by these.
- Furthermore, holders of the long-term residence permit - EC enjoy freedom of movement in the entire territory of the EU Member State in which they hold the status.

The long-term residence permit - EC obtains a European dimension through the fact that its holder can stay longer than three months in another EU Member State, be it for professional, educational or other purposes. In such a case, persons with a long-term residence permit must apply for a residence permit for that second state, no later than three months after entry into the country, and may then have to prove that they have health insurance and a sufficient income to support themselves and their family without the need for social benefits. This means that the rights they enjoy in the second residence country are identical with those of the country that issued the long-term residence permit.

However, access to the Union-wide labour market is subject to restrictions for long-term residents: First of all, the responsible authorities may limit, for a maximum of up to 12 months, access to employment to those types of work the residence title was intended for originally. Secondly and for employment policy reasons, the member country may give preference to EU citizens, certain third-country nationals (if provided for by Community law) and third-country nationals who are already eligible to reside in the corresponding

member country and receive unemployment benefits. Thirdly, Member States may conduct standard procedures to verify that the required qualifications for the employment in question are met and may carry out a labour market review prior to filling a position.

The Directive concerning the status of third-country nationals who are long term residents has been in force since 24 January 2004, and should have been transposed into national law by the EU states until 23 January 2006 at the latest, which has, however, not been done.

Council Directive 2003/86/EC of 22 September 2003 on the right to family reunification

SOURCE:

Official Journal L 251/2003, <http://europa.eu.int/eur-lex/lex/JOhtml.do?uri=OJ:L:2003:251:SOM:DE:HTML>

When relatives of a foreigner move abroad to maintain the family unit and are awarded a residence permit in the other country, the country grants the so-called right to family reunion.

Negotiations among the Ministers of Home Affairs on Directive 2003/86/EC regarding the common regulation of the right to family reunion lasted over three years. However, a genuine harmonisation of national provisions was not achieved. The result was the establishment of minimum standards, although the Directive does not contain a "standstill clause". This means the new EU legislation does not oblige any country to maintain particularly favourable provisions laid down in national law at the time of adoption. Therefore, the introduction of minimum standards might result in a downward adaptation as the Directive only defines the minimum level and allows Member States to set up or keep regulations that are more advantageous for the individuals concerned.

The Directive applies to people who already live legally in an EU country, who currently have a residence title valid for at least one year and have a justified prospect of being awarded permanent right of residence and whose relatives, wishing to follow them, are third-country nationals.

The right to family reunion does not apply to asylum seekers and refugees enjoying temporary or subsidiary protection. In correspondence with Article 4 only spouses and minor, unmarried children of one or both spouses are considered as family. Adults sharing custody for a child with a third-party

individual may be allowed by the authority to bring the child, if the other parent gives permission. EU members may grant parents (relatives of first grade straight ascending order) without other family ties in their country of origin and grown up, unmarried children not able to support themselves due to health problems entry and residence in accordance with the Directive on Family Reunion, provided the third-country national entitled to residency can support his or her relatives.

In addition, national laws can extend the right to family reunion to unmarried couples and registered partnerships. In case of polygamy, the Directive prohibits additional partners to follow. The provision that corresponding national laws may include a required minimum age for the spouse applying for a family reunion is to be considered a measure for integration and aims at preventing forced marriages.

Council Regulation (EC) No 859/2003 of 14 May 2003 extending the provisions of Regulation (EEC) No 1408/71 and Regulation (EEC) No 574/72 to nationals of third countries who are not already covered by those provisions solely on the ground of their nationality

SOURCE:

Official Journal L 124/2003, <http://europa.eu.int/eur-lex/lex/JOhtml.do?uri=OJ:L:2003:124:SOM:DE:HTML>

In some EU states, social security is connected to residence, in others to employment. To prevent migrant workers from having dual or no social security at all, Community regulations define what national provisions apply to EU citizens who use their right to freedom of movement and reside in another Member State. Regulation 1408/71 essentially determines what social benefits apply in the corresponding EU state, what country, i.e. what institution will provide these and how insurance periods from several countries will aggregate to establish an overall entitlement. Typical types of social security insurance are, for example, unemployment benefits, insurance against labour accidents and injuries, family allowances, invalidity benefits, sickness benefits, benefits in case of death and for maternity leave.

Regulation 859/2003 extends the scope of Regulation 1408/71 and its corresponding implementing provision 574/72 to third-country nationals who legally reside in an EU state and whose situation includes an element affecting

another EU Member State, meaning that they move to another EU state as students, employees, self-employed individuals or pensioners. Since Regulation 859/2003 entered into force on 1 June 2003, citizens of third countries with legal residence in an EU country (as well as their family members and relatives) can refer to EU provisions on the co-ordination of social security rights. The Regulation does not grant retroactive entitlement for the period prior to its coming into force but entitlement to benefits for events that occurred before 1 June 2003. With regard to family reunion, special provisions apply for Germany and Austria.

While Regulation 859/2003 was being prepared, the Regulation on Migrant Workers 1408/71 -often changed and updated in its "service time" of more than 30 years and thus difficult to handle- was reviewed in order to improve and facilitate the provisions and close any existing gaps. The amended and consolidated version entered into force as Regulation (EC) No. 883/2004⁴⁶ on 20 May 2004 but will not be valid until the elaboration of the corresponding implementing provision is concluded, something that the European authorities were still working on at the time of the editorial deadline of this handbook.

⁴⁶ Regulation (EC) No. 883/2004 of the European Parliament and European Council from 29 April on the co-ordination of the social security systems, published in: Official Journal of the EU L 166 from 30 April 2004, revision in L 200 dated 6 July 2004.

Council Directive 2005/71/EC of 12 October 2005 on a specific procedure for admitting third-country nationals for the purposes of scientific research

Council Recommendation of 12 October 2005 to facilitate the admission of third-country nationals to carry out scientific research in the European Community (2005/762/EC)

Recommendation of the European Parliament and of the Council of 28 September 2005 to facilitate the issue by the Member States of uniform short-stay visas for researchers from third countries travelling within the Community for the purpose of carrying out scientific research (2005/761/EC)

SOURCE:

Official Journal L 289/2005, <http://europa.eu.int/eur-lex/lex/JOHtml.do?uri=OJ:L:2005:289:SOM:DE:HTML>

The fact that the EU is undertaking great efforts to attract scientists from all over the world is hard to ignore. The "Researcher's Package" adopted in the autumn of 2005 is one attempt to open the Community as much as possible for scientific support from third countries. The package consists of three parts: a Directive and two Recommendations.

Directive 2005/71/EC introduces a special admission system, i.e. an a fast track procedure to obtain permission for entry and residence as well as a work permit for third-country nationals wishing to stay more than three months in an EU country to carry out research. This special procedure is based on the co-operation of immigration authorities with private and public research institutions willing to host scientists from non-EU countries. The procedure is tied to a so-called hosting agreement between the third-country researcher and the hosting institution. Critical minds assert that the new system can be summarised as follows: conclude an agreement with a university and the visa is yours.

Only certain research institutions selected by the EU Member States according to their own rules are allowed to conclude such agreements. Up-to-date lists of these institutions are to be published in regular intervals. The agreement obliges the scientist to carry out the research project and the institution to host the scientist. Apart from that, the scientist's legal and working conditions are

stipulated. Signature of the contract also confirms the following: The corresponding research project has been approved by the responsible authorities of the host institution; the necessary funding for the scientist's activities is available; his or her qualifications have been reviewed (minimum requirements include a doctoral degree; postgraduate researchers are considered students and therefore not subject to the Directive); the researcher will have sufficient health insurance covering all risks and enough financial means to pay for his or her accommodation and return journey without having to rely on the welfare system of the host country. Based on the acceptance agreements, the authorities of the host country will then issue a residence title for the researcher (in case of rejection, the researcher must be informed about applicable legal remedies). The residence title also allows researchers whose stay is approved in accordance with the Directive to take up teaching activities. These may be restricted in terms of duration by national laws. Furthermore, the residence title gives the researcher the right to be treated like a national citizen for the duration of his or her stay with regard to working conditions, social security, tax benefits, access to goods and services and approval of certificates and diplomas. In addition, the researcher is allowed to carry out part of the research activities in another EU state. Usually, the Member States must issue the residence title for at least one year and renew it, provided the requirements are still met.

A number of optional provisions in the Directive allow national legislators quite some freedom in implementing it. They may, for example, determine whether it is the researcher or the research institution that must apply for the residence title. Should the guest researcher wish to stay in another EU state for more than three months during the research period, he or she may be required to conclude a new hosting agreement in the respective country. If researchers have to apply for an additional visa or residence title to ensure their mobility between Member States, the Directive states that they do not have to leave the territory of the Member State to submit the application. In case a researcher remains in the country after his or her visa has expired, the Member States can hold the host institution accountable and request it to reimburse the publicly funded cost for the researcher's accommodation and return. If an institution has concluded an agreement with fraudulent intent or in a negligent way, it may lose its permission -usually granted for at least five years- or be denied renewal thereof. Except for Norway and the UK, the Directive must be transposed into national law by the Member States until October 2007. In light of the fact that there still remains some time until the new Directive must be

implemented into national law, the EU Council of Ministers adopted Recommendation 2005/762 together with the Directive, encouraging Member States to immediately start promoting the approval of third-country researchers by offering them favourable conditions for their scientific activity. A preferred measure is to exempt researchers from applying for a work permit or to automatically issue such a permit as part of an fast track procedure. Furthermore, third-country nationals should be guaranteed the opportunity to work as researchers, including the option to extend or renew their work permit, and their admission should not be limited by quota. In its Recommendation, the Council of Ministers also urges authorities to issue residence titles applied for by third-country researchers as quickly as possible, to facilitate accelerated procedures and to guarantee scientists from non-EU countries the renewal of their residence title.

Finally, the principle of family reunion is to be supported in such a way that partners accompanying and following researchers can also take up employment and the duration of a residence title should not be fixed without taking into consideration the fact that children of researchers should be able to finish their education.

Already before Directive 2005/71 and Recommendation 2005/62 were adopted, the Council of Ministers had advised Member States to consider third-country scientists as "trustful individuals" and grant them easier access to short-term stay visas, to issue multiple-entry visas to researchers who frequently stay in the EU, to increasingly waive processing fees for the issuing of visas to researchers, to adopt a harmonised approach for documents to be submitted by applicants together with the application and to reinforce consular co-operation in these areas.

Council Directive 2004/114/EC of 13 December 2004 on the conditions of admission of third-country nationals for the purposes of studies, pupil exchange, unremunerated training or voluntary service

SOURCE:

Official Journal L 375/2004, <http://europa.eu.int/eur-lex/lex/JOHtml.do?uri=OJ:L:2004:375:SOM:DE:HTML>

This Directive aims to harmonise national regulations of EU countries on the admission of third-country nationals, i.e. entry and residence, for reasons such as studies and unpaid education programmes, participation in pupil exchange programmes or voluntary service. It establishes the conditions and procedures for stays exceeding three months. The Directive's provisions apply to all applications by third-country nationals for study programmes in the Community. However, Member States are free to apply them also to pupil exchange and unpaid education programmes as well as voluntary service. The same holds true for the admission to medical courses and seminars. Individuals considered as employees under national law due to their remuneration or activity are not subject to the Directive.

The most important conditions for admission are valid travel documents and health insurance covering all risks. Furthermore, the immigrant must not be a threat to public safety and order. This is also true if a third-country national belongs or belonged to an organisation supporting terrorism, if he has supported or supports such an organisation or if he has pursued or pursues extremist objectives. Apart from that the following is required:

- **Students:**
 - Admission to a higher education institution;
 - Sufficient funds for living, studies and return journey;
 - Evidence (if demanded by the Member State) of sufficient knowledge of the language the study programme will be held in;
- **Unpaid trainees:**
 - Trainee agreement corresponding to the regulations of the Member State;
 - Sufficient funds for living, studies and return journey, in this context, Member States have to indicate a monthly minimum amount (also applies to funds demanded from students);
 - Participation (if demanded by the Member State) in language classes to acquire the necessary skills;
- **Pupils:**
 - Evidence of participation in an approved exchange programme and proof that the exchange organisation will take full responsibility for the pupil during the

- entire stay, especially with regard to the costs of accommodation, education, health and return journey;
- Compliance with the minimum or maximum age requirements defined by the Member State;
- Evidence of admission to a secondary education institution;
- Accommodation during the entire period of stay in a family fulfilling the respective national conditions;
- **Volunteers:**
 - Agreement of the organisation responsible for the volunteer programme in the Member State;
 - Evidence that the organisation has obtained indemnity insurance for the volunteer and will take on full responsibility for him or her during the entire stay, in particular with regard to the costs for accommodation, health and return journey;
 - Compliance with the minimum or maximum age requirements defined by the Member State;
 - Participation (if demanded by the Member State) in an introduction course to the country's language and history, political and social structures;

The residence permit is granted for the following periods:

- **Students:** At least one year (option for renewal) or for the course duration if shorter than one year.
- **Unpaid trainees:** No longer than one year (in certain cases the permit can be renewed once for the period necessary to obtain an approved degree or certificate).
- **Pupils:** No longer than one year.
- **Volunteers:** No longer than one year (may sometimes be longer if the programme is longer than one year).

University students also enjoy the privilege of being allowed to take up paid employment outside their study time. In this respect, Member States may set limits which may, however, not be below ten hours per week. During the first year of residence, employment may be restricted. Under certain conditions, the student admitted to the EU may continue his or her studies in an EU Member State other than the one which issued the residence permit.

The Directive must be transposed into national law until 12 January 2007, however, for a period of up to two years after expiration of this date, the EU countries are not obliged to issue permits in the form of residence titles. Furthermore, the Directive does not prevent Member States from establishing more favourable provisions. If an application for the issuing or renewal of a residence title is rejected, the third-country national concerned must be informed about ways and means to appeal as well as the corresponding deadlines. The Directive is neither binding nor applicable for Denmark, the UK and Ireland.

Council Directive 2004/81/EC of 29 April 2004 on the residence permit issued to third-country nationals who are victims of trafficking in human beings or who have been the subject of an action to facilitate illegal immigration, who cooperate with the competent authorities

SOURCE:

Official Journal L 261/2004, <http://europa.eu.int/eur-lex/lex/JOhtml.do?uri=OJ:L:2004:261:SOM:DE:HTML>

The Directive has been in force since 6 August 2004 and will have to be translated into national law by 6 August 2006, with exceptions applying to Denmark, Ireland and the UK. Primarily, the Directive is to facilitate the prosecution of human smugglers and traffickers but can also be applied to victims of this type of crime which is often organised on an international scale. Under certain conditions, victims may be granted a residence permit for at least six months which is open for renewal. Holders of such a residence permit are to be given access to the labour market and to professional and general education so that third-country nationals concerned can gain their independence and are not forced to return to the criminal network (Recital 16). According to Article 11 of the Directive, the regulations for access to the labour market and to professional and general education for individuals in possession of a residence title are laid down by Member States. The Directive only prescribes that access is restricted to the residence title's validity period. Therefore, it is the national authorities who define under what conditions a work permit will be issued and if admission to professional or general education will be granted.

In this context it should be borne in mind that, despite the possibility of access to the labour market or to education institutions, the Directive does not offer a long-term perspective to the individuals concerned. The residence title can be withdrawn at any time if the requirements under which it was issued are no longer given, be it, because the "victim ceases to co-operate" or the authorities in charge "decide to discontinue the proceedings" (Article 14). If the residence title issued based on the Directive expires, general legislation on foreigners will be applied.

Council Directive 2000/43/EC of 29 June 2000 implementing the principle of equal treatment between persons irrespective of racial or ethnic origin

SOURCE:

Official Journal L 180/2000, <http://europa.eu.int/eur-lex/lex/JOHtml.do?uri=OJ:L:2000:180:SOM:DE:HTML>

The "Race Directive" -its name may not be the best choice- is the common name for the Directive on the application of the principle of equal treatment irrespective of racial or ethnic origin that is to offer all citizens living in the EU a minimum of legal protection from discrimination. Just like the Employment Equality Directive 2000/78/EC adopted likewise in 2000 (see below), it prohibits discrimination in the fields of employment, professional and further education, in particular with regard to employment, dismissal, employment conditions, promotion, further training, union membership, salary and wages. Besides, the Race Directive refers to the areas of school education, social benefits, healthcare and the acquisition and renting of goods and services, including housing.

Discrimination as defined in the Race Directive exists when individual people or a group of individuals are, were or would be treated less well because of their racial or ethnic origin than other people (direct discrimination) or when an allegedly neutral provision discriminates or may discriminate against a group of people of a certain race or ethnic origin (indirect discrimination), for example when a language test has to be taken to get a certain job although the occupation does not require any linguistic skills. Objectionable behaviour in connection with a person's race or ethnic origin that leads to the violation of the person's dignity and creates an environment characterised by intimidation, hostility, humiliation or insult is considered harassment and -according to the Directive- direct discrimination. The same is true when someone instigates somebody else to discriminate against an individual.

The prohibition of discrimination on the grounds of race or ethnic origin refers to all individuals in both the public and private sphere and thus also to third-country nationals, however, provided that the different treatment is not based on citizenship. Nevertheless, EU countries can allow unequal treatment based on criteria connected to racial or ethnic origin if the criterion is a substantial and decisive requirement for the occupation or for the general conditions within which the occupation is pursued and provided that its purpose is lawful and the requirements are adequate.

The Race Directive has been in force since its publication in the Official Journal of the Community on 19 July 2000 and should have been transposed into national law by 19 July 2003. Yet most EU members have lagged behind and the Commission has opened legal proceedings against 11 of the then 15 Member States (Austria, Belgium, Finland, Germany, Great Britain, Greece, Ireland, Luxemburg, the Netherlands, Portugal and Spain) on 6 October 2003 because of breach of contract. By the time proceedings had reached the third level, i.e. the invocation of the European Court of Justice, the list of countries had shrunk to only five states: Germany, Austria, Greece, Luxemburg and Finland. For the new EU members, transposing the Directive was a prerequisite for their accession on 4 May 2004, and all of them have met this requirement.

Key word: Common principles of law laid down in the Anti-Discrimination Directives 2000/43/EC and 2000/78/EC

—— Reversal of the burden of proof

Both Directives introduce the reversal of the burden of proof. If people who feel discriminated against and present facts in court or before the responsible authority which allow for the assumption of discrimination on the grounds of the criteria mentioned in the Directives, the defendant has to prove that the principle of equal treatment has not been violated or that the unequal treatment is justified.

—— Protection from victimisation

National law must protect individual persons from discrimination they might be exposed to because of their complaint or because of the opening of proceedings to enforce the principle of equal treatment.

—— Option for "class actions"

Both Directives offer associations, organisations and other legal entities the right to participate in court or administrative proceedings to enforce the entitlement of a person, be it in their name or with their consent. As a prerequisite, the association or organisation must have a legitimate interest in enforcing compliance with the Directive.

Council Directive 2000/78/EC of 27 November 2000 establishing a general framework for equal treatment in employment and occupation**SOURCE:**

Official Journal L 303/2000, <http://europa.eu.int/eur-lex/lex/JOHtml.do?uri=OJ:L:2000:303:SOM:DE:HTML>

People who are being discriminated against because of their religion are often migrants. Directive 2000/78/EC constitutes a means of combating discrimination in the professional and employment-related field on the grounds of religion, political and other opinions, disability, age or sexual orientation. The Directive applies to all persons but does not affect the legitimacy of a different treatment based on citizenship or statelessness. The Directive prohibits discrimination related to:

- 1) Conditions for access to self-employed occupation or employment in the public or private sector, irrespective of the area of activity and professional position (selection criteria, employment conditions etc.). The Directive's scope also refers to options for professional promotion.
- 2) Access to professional and further education, re-training, practical professional experience and career guidance;
- 3) Employment and working conditions, including remuneration and terms of dismissal;
- 4) Membership/activity in unions, employer organisations or associations of a certain professional group and the utilisation of benefits offered by these;

The Directive also provides a number of exceptions: Governmental social benefits are not included in the Directive's scope. Unequal treatment due to criteria connected to religion or political and other opinions, disability, age or sexual orientation is not considered discrimination according to EU law, if the criterion is substantial and decisive for the type or performance of a professional activity, provided the purpose is legal and professional requirements are adequate.

Especially churches have difficulties with the non-discrimination principle, so the contracting parties in Brussels concluded the following: Individuals of a different religion continue to have no entitlement to equal employment opportunities in a churchly institution or other public and private organisations whose ethics are based on religious principles or opinions. In correspondence with the Employment Directive, EU members may maintain provisions (i.e.

include in future legislation provisions that correspond to practice in the Member States as common before November 2000) in which unequal treatment based on religion or attitude is not considered discrimination, provided that religion or attitude are decisive, legal and justified professional criteria for the employment, in light of the employer's ideological attitude. If the Directive's provisions are respected (i.e. no discrimination for other reasons) churches and other organisations can continue to request their personnel to behave in a loyal and sincere way and according to their political and other opinions.

The Directive focuses in detail on "justified unequal treatment" because of age: As long as age restrictions are objective and adequate and justified by a legitimate aim, particularly in the areas of labour market, professional education and employment policy, EU Member States can rule that unequal treatment based on age is not identical to discrimination, provided that the measures for achievement of the respective target are adequate and necessary.

Despite the principle of equal treatment the Directive relies on, measures may be introduced and maintained to further equal treatment in professional life by preventing and compensating for discrimination for reasons such as religion, political and other opinions, disability, age or sexual orientation (for example by giving preference to discriminated groups). In addition, particular health and safety provisions at work for disabled people as well as measures promoting integration in the labour market remain legal.

The EU Employment Directive has been in force since 2 December 2000 and was to be transposed into national law three years later. However, the Directive allows Member States to extend this period by an additional three years (until December 2006 at the latest) to implement the Directive's provisions concerning discrimination for age or disability reasons into national law. Denmark, the UK and Sweden made use of this prolongation policy for the provisions for age and disability, Belgium, Germany and the Netherlands for the provisions regarding age and France for the rules regarding disability.

This handbook was compiled and printed with financial support from the European Commission, Directorate General Freedom, Security and Justice.

ISBN: 92-2-119051-X & 978-92-2-119051-6