

## **TEN POINT SOCIALIST ACTION PLAN ON MIGRATION AND INTEGRATION**

**Adopted by the Socialist Group 6 December 2006 in Porto**

The Socialist Group calls for urgent action to deal with the complex issues of migration into the EU and the integration of migrants into local communities.

We seek a common migration policy for EU countries, the adoption of a European Charter for the Integration of Migrants and the adoption of EU codes of conduct for Decent Work.

We set out a ten-point action plan below, founded in the distinctive principles of the European social model. We call on EU ministers to endorse our demands for:

- A common European migration policy based on solidarity between member states and on the principle of sharing costs and responsibilities, to be adopted by co-decision and qualified majority vote;
- Cooperation between the member states' border control services and increased financing for the EU's FRONTEX programme to protect migrants' basic rights and fight people trafficking;
- The drafting of a European Charter for the Integration of Migrants, setting out principles to be applied in all member states. These principles shall include access to language-learning, information on common European values and respect for the cultural diversity of both migrants and host communities;
- A new European citizenship that will include the right to vote and access to education, in the framework of rights and duties for all;
- Recognition, through cultural centres and other public spaces, of the contribution of migrants to the economic development and cultural and social enrichment of host societies;
- Rights for migrants to seek jobs, to have their technical skills recognised, to join the labour market and to have full trade union rights, by opening regular migration channels and fighting all forms of irregular work or exploitation;
- EU codes of conduct for ethical recruitment, for decent work in Europe and in developing countries and for EU firms to show social responsibility. Sanctions should apply to employers who exploit migrants and victims of human trafficking;

- Creation of a "Savings for Development" fund, backed by guarantees, so that remittances from migrants are used in productive investments;
- Conclusion of fair readmission agreements that respect the fundamental rights of migrants and the shared needs of member states and of the countries of origin and transit; and
- Greater EU commitment in tackling the root causes of migration, including work on conflict resolution, the best use of development aid through massive investment in health care and in education, on world trade talks and on the Millennium Development Goals.

NOTE FOR THE ATTENTION OF THE MEMBERS OF THE SOCIALIST GROUP

**CONTRIBUTION TO THE DEBATE ON IMMIGRATION, ASYLUM AND INTEGRATION IN VIEW OF THE GROUP MEETING IN PORTO**

**Group Priorities for 2007**

**I - General Approach**

Immigration is a complex phenomenon requiring a balanced, comprehensive approach, addressing coherently all its dimensions and respecting the fundamental rights of the individual. Therefore, the Socialist Group has decided to create a Reflection Group on immigration & integration to adopt a Group Strategy on Immigration & Integration for 2007.

The concrete actions and initiatives of the Socialists will continue to be in line with its long defended objectives in this field:

- the need to open channels of legal immigration;
- the protection of the fundamental rights of immigrants & asylum seekers;
- integration of migrants into society;
- increase in development aid, promoting free and fair trade, and social, economic and democratic cooperation in order to tackle the underlying causes of migration;
- strengthening the EU's external borders (which must be counterbalanced precisely by the opening of legal channels for migrants) and combating human trafficking related to irregular immigration;
- increase resources allocated to immigration policy and the optimal use of the budget;

However, the creation of the Reflection Group constitutes an asset, because it allows a cross-cutting, intensive approach to immigration. The RG will enable us to have a well based comprehensive decision-taking and the Socialist Group will be in an excellent position to undertake visible and effective action in this field.

In our view, these issues need to be brought under greater democratic control and scrutiny at EU level, with legislation being adopted in co-decision between the EP and the Council. No national parliament would allow its executive to take decisions in the area of immigration without adequate parliamentary scrutiny.

So from an institutional point of view, the adoption of the Constitutional Treaty would have allowed the "communitarization" of all questions on immigration. We welcome the intention of the German presidency to relaunch the new constitutional framework. Nevertheless, the existing Treaties already contain certain useful provisions: Through the *passerelle* clause,

immigration policy, including legal immigration, could fall under the codecision procedure and be voted by qualified majority, which would allow the unblocking and adopting of important measures.

Following the Tampere Mandate (October 1999), which aims at "communitarizing" immigration and asylum policy within 5 years, the Commission presented its proposals for key directives, the EP having set out its views. However, the fundamental directive, aimed at regulating the entry of economic migrants, continues to be blocked in the Council due to lack of unanimity.

When unanimity is not possible in Council and as long as qualified majority voting is not used, the Commission must base its proposals on "soft law", especially regarding work programmes, recommendations, communications.... which do not oblige the Member States to take measures.

## **II - Areas of reflection**

Some important fields of work will be:

- **Common Immigration and Asylum Policy**

The EU needs a common immigration, visa and asylum policy. This common policy must be based on solidarity between Member States, but also solidarity with the countries of origin and transit. The underlying principle should be that of sharing costs and responsibilities.

The participation of all Member States in developing a common global strategy in this field is, in fact, crucial. For this reason, the Socialist Group intends to call attention at national and EU level to the importance of a wide debate and effective teamwork on immigration, involving not only all Member States but also local and regional authorities, associations on the ground and the social partners.

It is important, for instance, to have closer cooperation and mutual technical assistance between the Member States' border control services and to increase the financing of Frontex. The securing of external borders - which has not only a security dimension but provides above all for the protection of the basic rights of migrants on entry as well as the fight against human trafficking - should be based on the enforcement of cooperation on police and judicial matters under Title IV of the EC Treaty.

The EU should also work with the countries of origin and transit, in order to promote a migration policy which follows the legal channels and is able to respond adequately to immigration requirements. Only with collaboration between the countries of origin, transit and destination - especially by means of technical and financial assistance aimed at creating self management - can programmes be drawn up to manage the flow of migration in a coordinated and adequate manner. The Socialist Group insists on the importance of including the emigration countries in the development of the EU immigration common policy by creating a cooperation network. Therefore, we support a comprehensive strategy on re-admission and partnership with countries of origin and transit (using as a starting point the Rabat conference declaration).

It is therefore important to conclude legal agreements and develop readmission policies with the countries of origin and transit. Readmission agreements constitute an important aspect of a common immigration policy, which must be fair and take into consideration the shared needs of the EU member states and those of the country of origin and transit. The readmission

agreements can under no circumstances be a prerequisite for the conclusion of agreements for aid and development. In any case, these agreements must only be signed if the countries respect the international norms on human rights, the Barcelona *acquis*, and have ratified the Geneva Convention on the status of refugees and its Protocol of 1967.

- **Legal Immigration and combating exploitation**

Immigration should not be seen as a burden for the EU, but as an opportunity. Immigration is a necessity, an opportunity and a challenge for Europe. Socialists must fight against the idea advocated by the Right linking immigration and delinquency, terrorism and unemployment, and promote a positive image of immigration so that it can be perceived as a beneficial phenomenon for the host countries and their citizens. Immigration is a demographic necessity (given current trends in Europe of falling levels of the working population, legal immigration will play an important role in implementing the Lisbon Agenda) and a source of enrichment for our societies from the cultural, social and economic points of view. In this respect, various studies carried out by financial bodies and research centres demonstrate that immigration has had clearly positive effects on the economies of host countries, in particular in terms of growth.

Socialists are in favour of opening legal channels for migrant workers. We consider that the European Union's immigration policy must follow a coherent and comprehensive approach based on synergies between the different areas of political action and not simply on the needs of the Member States' labour markets.

We must allow greater flexibility for entry into our territory and for obtaining visas and residence permits for work purposes or job seeking, or multiple entry visas for a professional activity. We invite Member States to create special residence permits in order to facilitate job seeking. And we must address the issue of access to our territory for self-employed workers. We must also look at the question of access to the labour market for those people authorised to live on our territory for humanitarian reasons.

For this, the EU must bring together social partners and involve regional and local authorities, as well as giving them the support they need, as local policies are essential and local institutions are irreplaceable in this area.

Moreover, many migrants in an irregular situation work mainly in the "hidden" economy. The EU must facilitate their opportunities to find legal employment. The EU must actively combat the exploitation of the immigrant workforce on which whole sections of our economies depend. Special attention should be paid to the category of seasonal workers - usually immigrants who work illegally in precarious conditions and who need specific and regular work prospects. This is a European problem which needs a European response. Consequently Europe must confront this issue and ensure that the principles of dignity of work enshrined in the European Charter of Fundamental Rights and the European Social Charter are enforced for all. Irregular migration is not linked to job availability, but is a consequence of the demand for migrant workers without papers and therefore liable to exploitation. Socialists must therefore continue to fight for decent standards of employment.

It is also fundamental to combat irregular immigration channels, resulting in serious violations of human rights, causing death and abuse through human trafficking, and undermining the principles of decent work (exploitation, forced work and even slavery). The Socialist Group intends to fight human trafficking and the exploitation of immigrants (through economical networks that aim at reducing work costs and evading labour law and social protection rules. For this, we support an integrated control of external borders and a strengthening of the role of

FRONTEX, as well as greater solidarity and burden sharing in the reception of immigrants with no legal papers.

It is also important to reflect on common mechanisms for sanctions to employers which would be gradual and proportionate, from financial to criminal penalties, depending on the repetition of the offence. The protection of victims must be a priority.

In order to allow a real improvement of the worker's situation and the participation of the EP in this process, the procedure of co-decision should be adopted in the area of legal immigration (Art. 67 of the EC Treaty). We consequently deplore the Council's decision to maintain the principle of unanimity and the consultation procedure for all questions relating to legal immigration. On the contrary we consider that the only way to adopt efficient and transparent legislation on this matter is the codecision procedure.

- **Immigration and respect of the Human Being**

The human rights dimension of immigration has just been highlighted by the human tragedies that take place in the Mediterranean area as a result of attempts to enter the EU irregularly.

The EU has to provide adequate protection for migrants, by ensuring that the existing directives on hosting asylum demanders and migrants are respected in all Member States and by creating host programmes. Moreover, the EU needs to ensure that people in need are able to apply for asylum/subsidiary protection.

Socialists should pay special attention to the conditions of the host and retention centres for irregular migrants, in order to ensure that they present correct conditions for migrants, in the respect of the Human rights.

Shall these persons be sent back to their countries of origin, they are to be returned in a humane manner and with full respect for their human rights and dignity. We should prefer voluntary returns. Besides, we should encourage these persons to return to their countries of origin. They showed a considerable amount of energy by arriving in Europe; if they receive some resources and a return-aid, they will be able to spend this energy by creating opportunities in their countries of origin. The situation of migrant youth and children should receive specific attention. The expulsion and the detention of minor migrants should be prohibited.

On the one hand, the EU should promote information campaigns in the countries of origin, so that immigrants are aware of the migration's process and have a realistic vision of Europe. On the other hand, the EU has to increase the understanding and acceptance of immigration within its own borders through awareness-raising campaigns, intercultural events... The Socialist Group has a fundamental role to play in promoting the acceptance of immigrants, through different initiatives and namely a visible awareness and information campaign. In this sense, the promotion of research on immigration and integration and the use of the research results for pedagogical objectives must be priorities. In the same way, we should encourage initiatives that aim at the creation of museums or centres of History of Immigration, at national, regional or local level, because these will be places of acknowledge and visibility for the contribution of migrants to the economical, social and cultural development of the host societies.

The Socialists must be attentive that the cultural and religious diversity, which is guaranteed under the Charter of Fundamental Rights, is safeguarded for all.

- **Immigration and Integration**

The Socialist Group considers that a policy of integration is highly needed. The legal status of third country nationals should be approximated to that of Member States' nationals. For this, immigrants cannot be discriminated in economic, political, social and cultural life. A truly and fully integration can only occur in the frame of a policy of equal opportunities for all. Under the umbrella of the European Year of Equal Opportunities for All, the Socialist Group has therefore chosen Immigration as its priority for 2007.

Access to the labour market is crucial for the integration of European migrants and third-country nationals. Furthermore, the work of the immigrant must be valorised and an effort is to be made so that immigrants can work in accordance with their competences. We should reflect on the elaboration of minimum rules regarding the recognition of foreign diplomas and degrees.

The Socialists have a leading role in contributing to the creation of equal opportunities for immigrants, so that they can participate fully in the life of society. For this, immigrants should be granted (apart from the access to legal work) education & training opportunities, access to social & health care services, to public services and to private goods, to cultural initiatives... according to a logic of equal treatment. This goal is to be achieved through positive integration measures, related to the fields of employment, non discrimination, education... that should take into account the gender dimension. For the Socialist Group, the participation of immigrants in the formulation of integration policies is also crucial.

Furthermore, the Socialists consider that the civic rights dimension of integration is fundamental. We defend namely the right to vote in local and European elections for third-country nationals that are long-term legal residents of the Union, as part of a general strategy on a new European Citizenship, which implies rights and duties for the European citizen/resident.

Our Group will support innovative integration programmes and the exchange of best practices in the area of integration between Member States. The Socialist Group highlights namely the need of promoting activities in which immigrants take part with persons from the host society. The Socialist Group stresses equally that migrant women should be paid special attention, independently of being isolated migrants or integrated in a family migration. Opportunities should be equal for all.

The promotion of fundamental rights being a key integration issue, the EU should also develop measures against racism and xenophobia and namely start a serious dialogue with the Islam, in line with the UN initiative on the Alliance of Civilizations, and reinforce the relations with the Muslim communities established in Europe. The Socialists will be able to lead the way for such a dialogue, as we have always defended integration based on the exchange of ideas. In this area, our Group has again been on the vanguard, by creating two Units (Enlargement; Mediterranean and Middle East) that work not only on the content reflection but also on the improvement of relations with the countries from the East and the South. By acting this way, the Socialist Group has built the conditions for a smooth dialogue of civilizations, contributing to a new concept of citizenship. The Socialists are now in the best position to take action and to coordinate the efforts of the EU and the Member States in this field.

The Group must also be aware of the existing link between the support to and the existence of authoritarian systems and the development of migratory fluxes. The adequate instrument in this area is the reinforced dialogue in the frame of the Euromed partnership.

To debate: -Ways of monitoring the implementation of the two existing directives on integration: Council Directive 2000/43/EC of 29 June 2000 implementing the principle

of equal treatment between persons irrespective of racial or ethnic origin; Council Directive 2000/78/EC of 27 November 2000 establishing a general framework for equal treatment in employment and occupation

- Would a European Framework on Integration be useful? We should discuss on the utility of proposing a common model of migrants' integration in Europe. Several national mechanisms of integration became (a priori or a posteriori) instruments of selection. Besides, Member States have developed different models of integration, based on specific conceptions of "live together". A Charta of best practices/principles could constitute a positive symbol for migrants.

- **Immigration, Integration and Employment**

We Socialists believe that employment is a key part to migrants' overall integration. A sustainable integration of immigrants into the labour market does not only involve proper access to training and employment services but it also entails exchanging experiences and good practices between Member States.

In this respect, particular attention needs to be given to the recognition of skills and diplomas; entrepreneurship and special initiatives for second and third generation young people of immigrant origin as well as language training for professional purposes including 'fast track' schemes. In addition, we need to provide for a better matching of the skills of individuals and the requirements of the labour markets.

We must put all our efforts into the fight against discrimination in the workplace and support diversity management. Recruitment, retention and promotion must be fair, based on merit and irrespective of racial or ethnic origin or gender.

Furthermore, we believe that a true European approach to integration and employment must recognise how complex the picture is, taking into account:

- the marked variations across Member States in the conditions and quality of migrants' jobs but generally poorer than average working conditions (including health and safety conditions) for new and established migrants; lower levels of job security; and pay gaps between migrant and other;
- the over-representation of migrants in low paid jobs;
- that ethnic origin is one of many factors shaping labour market experiences - for instance, certain ethnic minority communities in some Member States have a particularly high level of self-employment and entrepreneurship;
- that Integration policies and best practice will vary widely for different categories of migrants: for example, new migrants given refugee status will have markedly different needs to established migrants;

Moreover, it is of crucial importance to adopt a gender perspective in immigration and employment matters. Unemployment is often higher among women immigrants than among male immigrants and, in general, immigrant women have only derived rights through their husbands in their countries of origin. It is therefore important to ensure the individualisation of rights and benefits and to have an individual legal status for immigrant women as well as to provide immigrant women with thorough information, training and empowerment strategies on their rights and opportunities in order to promote the possibility of integration not only in society but also in working life.

We need to take every measure to prevent situations similar to the recently discovered 'slave' camp for Polish workers in southern Italy.

Member States must be tougher on employers and others who profit from abusive working conditions. Member States must do its utmost to monitor and enforce minimum labour standards and protection of the human rights of migrant workers. Enabling undocumented migrant workers and their families to report exploitative conditions without fear of immediate deportation is necessary, if we want to put an end to these hideous situations.

We call for more active social policies and their effective implementation to end unfair competition between companies and Member States at the expense of workers' rights, being a national or immigrant.

Fundamentally, there must be a recognition that every person - with proper documents or not - is to be valued and respected as a human being and should be entitled to the basic human rights and minimum labour standards including decent working conditions, freedom of association and protection against forced labour that all EU citizens should enjoy.

- **Immigration and Development**

A sustainable immigration policy cannot ignore the "push factors", the underlying causes of migration. It has therefore to address the root causes of immigration and to aim the poverty alleviation in the countries of origin.

We need to target the most important areas of emigration and the "migratory poles" and finance through massive budgetary support the creation of infrastructures and of quality public services, guaranteeing above all access to potable water, electricity, health care and education. In these areas of extreme poverty, we should rely on women and take their specific role better into consideration. However, the Socialist Group should also stress that poverty alleviation alone will not stem migration.

We also must create information programmes and undertake actions in order to support migrant populations, especially the most vulnerable ones (women, isolated minors...).

The immigration policy is necessarily linked to the EU and the Member States' development and foreign policies. It can not be separated from the European engagements towards diplomatic conflict prevention and conflict resolution. The actions on immigration must be consistent with the objectives of the EU external, namely commercial, and development policies. The Socialist Group should promote a new approach to migrations and development, by making some concrete proposals in the frame of a global strategy.

Furthermore, an effective common immigration policy must be developed in partnership and in dialogue with the countries of origin and transit on a "win-win" logic. This political partnership should be based on a democratic cooperation and support for democracy and development, namely through the conclusion of agreements. In fact, the development aid is a fundamental pillar of the cooperation with the countries of origin. For the Socialists, the EU and the Member States must actively assist the third countries in full respect for their dignity, if they want to fight the real causes of immigration.

The Socialist Group must ensure that the political engagements of the EU on development aid (achieve 0,7% GNP in 2015, double the aid to Africa by 2010) are respected and that the aid will be particularly oriented to the educational and health sectors. The existing or foreseen European Programmes (AENEAS, ACP-EU Migration Facility) must finance a real development strategy and not a security one. ONGs that work in the countries of origin or give

humanitarian assistance to immigrants should also receive a more important financing from the EU and the Member States.

Migrants can also contribute to the development of their countries of origin. That's why the Socialist Group stands for an EU immigration code of conduct: the EU should namely engage itself to an ethical recruitment in order to avoid the brain drain from developing countries. To tackle brain drain and to change into "brain circulation", the Socialist Group should support circular or temporary migration policies, together with the countries of origin, and propose a reform of the entry requirements and the visa systems. Moreover, the Socialist Group should propose innovative instruments like the compensation to migrants for salary loss due to return to the countries of origin, multiplication of institutional partnership, the "double chair" system, the transfer of social rights and pensions in the frame of specific agreements between host countries and countries of origin.

For the same reason, we must assist migrants that wish to return to their home countries.

We should also ensure the respect of decent work principles in Europe and in the countries of origin, by integrating into all our agreements the respect of the fundamental work law and by denouncing the European enterprises that do not pay decently their employees in the developing countries.

It is important to stress the need to promote codes of conduct negotiated within the multinationals that will comprehend the objectives of Decent Work. We recommend that enterprises with seat in Europe and ramifications in developing countries evaluate periodically the respect of the adopted codes of conduct and release the information. New associated enterprises must accept these codes of conduct. The social responsibility of the enterprises must be activated.

Action is also necessary in the field of remittances from migrants, in order to facilitate the transfer, to reduce its costs for migrants and to ensure that they are used not only to buy consumer goods, but also as an investment. The conditions under which they are sent remain unsatisfactory, whereas these financial flows can help develop the immigrant's country of origin. Therefore, it is important to enhance the development impact of such remittances in recipient countries, by supporting co-development actions, by fostering investment in line with good governance principles and by creating a "development saving instrument" ("plan épargne développement") together with a guarantee fund, in order to orient the funds into productive investments and to guarantee the continuation of the micro projects.

It is equally important to stress the voluntary nature of migrants' commitment to the development of their countries of origin.

Migration may have an impact on development and only the link between immigration and commercial and development policies can also help to meet the Millennium Development Goals. We must integrate better migrations into the Millennium Development Goals et put the question of migrations at the heart of the ACP-EU Partnership, namely in the undergoing negotiations on Economic Partnership Agreements (EPAs), based on Art. 13 of the Cotonou Agreement.

Also in this direction, the EU should promote a fair and free trade and act within the WTO, so that the Doha cycle turns out to be a real development cycle.

- **Immigration and Budget**

The Socialist Group must press for a sufficient allocation of resources to all areas of intervention in the immigration field.

A better coordination is also needed, so that resources that fall under the items of foreign affairs, macro economy and internal affairs can be coherently spent on immigration. Therefore,

we must proceed to an in-depth evaluation of the current budgetary proposals and have then an objective-oriented intervention during the budgetary procedure.

The Socialists must remain attentive during the implementation phase of the 2007 Budget, in order to monitor the use of the EU resources and to check that they are being spent in an optimal way.

The Secretariat  
28 November 2006