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## **REPORT**

on the integration of migrants, its effects on the labour market and the external dimension of social security coordination  
(2012/2131(INI))

Committee on Employment and Social Affairs

Rapporteur: Nadja Hirsch

Rapporteur for the opinion (\*): Juan Fernando López Aguilar, Committee on Civil Liberties, Justice and Home Affairs

(\*) Associated committee – Rule 50 of the Rules of Procedure.

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(\*) Associated committee – Rule 50 of Rules of Procedure

## MOTION FOR A EUROPEAN PARLIAMENT RESOLUTION

### on the integration of migrants, its effects on the labour market and the external dimension of social security coordination (2012/2131(INI))

The European Parliament,

- having regard to the Charter of Fundamental Rights of the European Union and in particular Articles 15, 18, 20, 21, 34 thereof,
- having regard to the Commission communication of 30 March 2012 entitled ‘The external dimension of EU social security coordination’ (COM(2012)0153),
- having regard to the Commission communication of 18 November 2011 entitled ‘The global approach to migration and mobility’ (COM(2011)0743),
- having regard to the Commission communication of 20 July 2011 on the European agenda for the integration of third-country nationals (COM(2011)0455),
- having regard to the Commission communication of 18 April 2012 entitled ‘Towards a job-rich recovery’ (COM(2012)0173),
- having regard to the opinion of the European Economic and Social Committee of 22 February 2012 on the communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions entitled ‘European Agenda for the Integration of Third-Country Nationals’ (SOC/427),
- having regard to the opinion of the Committee of the Regions of 16 February 2012 on ‘the new European Agenda for Integration’,
- having regard to the own-initiative opinion of the European Economic and Social Committee of 18 September 2012 on ‘The contribution of migrant entrepreneurs to the EU economy’<sup>1</sup>,
- having regard to the Eurofound study of 2011 entitled ‘Promoting ethnic entrepreneurship in the European cities’,
- having regard to the 2012 Joint Employment Report of 20 February 2012,
- having regard to the Commission report of 5 December 2011 on the results achieved and on qualitative and quantitative aspects of implementation of the European Fund for the Integration of Third-country Nationals for the period 2007-2009 (COM(2011)0847),
- having regard to the summary report entitled ‘Sixth meeting of the European Integration Forum: the involvement of countries of origin in the integration process (Brussels, 9 and 10 November 2011)’,

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<sup>1</sup> CESE 638/2012 - SOC/449.

- having regard to the study entitled ‘The integration of migrants and its effects on the labour market’ (European Parliament, 2011),
- having regard to the study entitled ‘EMN Synthesis Report: satisfying labour demand through migration’ (European Parliament, 2011),
- having regard to the study entitled ‘Gallup World Poll: the many faces of global migration’ (IOM and Gallup, 2011),
- having regard to the Eurofound publications ‘Quality of Life in Ethnically Diverse Neighbourhoods’ (2011), ‘Working conditions of Nationals with a Foreign Background’ (2011) and ‘Employment and Working Conditions of Migrant Workers’ (2007),
- having regard to the research carried out by the European Network of Cities for Local Integration Policies for Migrants (CLIP), established by the Congress of Local and Regional Authorities of the Council of Europe, the City of Stuttgart and Eurofound,
- having regard to the conclusions of 4 May 2010 of the Council and of the Representatives of the Governments of the Member States meeting within the Council on ‘Integration as a Driver for Development and Social Cohesion’,
- having regard to the opinion of the European Economic and Social Committee of 17 March 2010 on the integration of immigrant workers (SOC/364),
- having regard to the opinion of the European Economic and Social Committee of 17 February 2010 on the integration of immigrant workers (SOC/362),
- having regard to the Stockholm Programme ‘An open and secure Europe serving and protecting citizens’, adopted by the European Council (10-11 December 2009),
- having regard to Council Directive 2003/86/EC of 22 September 2003 on the right to family reunification,<sup>1</sup>
- having regard to Council Directive 2003/109/EC of 25 November 2003 concerning the status of third country nationals who are long-term residents,<sup>2</sup>

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<sup>1</sup> OJ L 251, 3.10.2003, p. 12.

<sup>2</sup> OJ L 16, 23.1.2004, p. 44.

- having regard to Directive 2011/98/EU of the European Parliament and of the Council of 13 December 2011 on a single application procedure for a single permit for third-country nationals to reside and work in the territory of a Member State and on a common set of rights for third-country workers legally residing in a Member State,<sup>1</sup>
- having regard to Directive 2009/52/EC of the European Parliament and of the Council of 18 June 2009 providing for minimum standards on sanctions and measures against employers of illegally staying third-country nationals,<sup>2</sup>
- having regard to Council Directive 2009/50/EC of 25 May 2009 on the conditions of entry and residence of third-country nationals for the purposes of highly qualified employment (the ‘Blue Card Directive’),<sup>3</sup>
- having regard to Directive 2008/115/EC of the European Parliament and of the Council of 16 December 2008 on common standards and procedures in Member States for returning illegally staying third-country nationals,<sup>4</sup>
- having regard to its resolution of 14 January 2009 on the situation of fundamental rights in the European Union 2004-2008,<sup>5</sup>
- having regard to the Commission communication of 16 May 2007 on circular migration and mobility partnerships between the European Union and third countries (COM(2007)0248),
- having regard to its resolution of 6 July 2006 on strategies and means for the integration of immigrants in the European Union,<sup>6</sup>
- having regard to Council Directive 2005/71/EC of 12 October 2005 on a specific procedure for admitting third-country nationals for the purposes of scientific research,<sup>7</sup>
- having regard to the Commission communication of 1 September 2005 entitled ‘A Common Agenda for Integration – Framework for the Integration of Third-Country Nationals in the European Union’ (COM(2005)0389),
- having regard to the Commission communication of 10 May 2005 entitled ‘The Hague Programme: ten priorities for the next five years – The partnership for European renewal in the field of freedom, security and justice’ (COM(2005)0184),
- having regard to the conclusions of 19 November 2004 of the Council and the Representatives of the Governments of the Member States on the establishment of common basic principles for immigrant integration policy in the European Union,

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<sup>1</sup> OJ L 343, 23.12.2011, p. 1.

<sup>2</sup> OJ L 168, 30.6.2009, p. 24.

<sup>3</sup> OJ L 155, 18.6.2009, p. 17.

<sup>4</sup> OJ L 348, 24.12.2008, p. 98.

<sup>5</sup> Texts adopted, P6\_TA(2009)0019.

<sup>6</sup> Texts adopted, P6\_TA(2006)0318.

<sup>7</sup> OJ L 289, 3.11.2005, p. 15.

- having regard to the Tampere Programme agreed on 15 and 16 October 1999,
  - having regard to Council Directive 2000/78/EC of 27 November 2000 establishing a general framework for equal treatment in employment and occupation<sup>1</sup>,
  - having regard to Council Directive 2000/43/EC of 29 June 2000 implementing the principle of equal treatment between persons irrespective of racial or ethnic origin<sup>2</sup>,
  - having regard to Regulation (EC) No 883/2004 of the European Parliament and of the Council of 29 April 2004 on the coordination of social security systems<sup>3</sup>,
  - having regard to Regulation (EU) No 1231/2010 of the European Parliament and of the Council of 24 November 2010 extending Regulation (EC) No 883/2004 and Regulation (EC) No 987/2009 to nationals of third countries who are not already covered by these Regulations solely on the ground of their nationality<sup>4</sup>,
  - having regard to the Commission proposals of 30 March 2012 relating to the coordination of social security systems (COM(2012)0156), COM(2012)0157, COM(2012)0158 and COM(2012)0152),
  - having regard to the judgments of the European Court of Justice in Cases Nos. C-214/94, C-112/75, C-110/73, C-247/96, C-300/84, C-237/83, C-60/93 and C-485/07,
  - having regard to Articles 48, 78, 79 and 352 of the Treaty on the Functioning of the European Union,
  - having regard to Rule 48 of its Rules of Procedure,
  - having regard to the report of the Committee on Employment and Social Affairs and the opinions of the Committee on Civil Liberties, Justice and Home Affairs, the Committee on Foreign Affairs and the Committee on Women’s Rights and Gender Equality (A7-0040/2013),
- A. whereas the working-age population of Europe will decline from 2012 onwards and, in the absence of immigration, will fall by 14 million over the next 10 years; whereas the relevant figures vary considerably from Member State to Member State;
- B. whereas in 2011, 48.9 million people resident in the 27 Member States had been born abroad (9.7 % of the total EU population), with 16.5 million coming from another EU Member State (3.3 %) and 32.4 million from outside the EU (6.4 %);
- C. whereas, despite an unemployment rate in the EU of approximately 10 % (i.e. 23.8 million people out of work), this human resources crisis is already evident and will become more

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<sup>1</sup> OJ L 302, 2.12.2000, p. 16.

<sup>2</sup> OJ L 180, 19.7.2000, p. 22.

<sup>3</sup> OJ L 166, 30.4.2004, p. 1.

<sup>4</sup> OJ L 344, 29.12.10, p. 1.

acute over the next few years: in 2015, for example, between 380 000 and 700 000 IT posts will be unfilled; whereas measures to tackle this shortage of skilled labour must involve better education, training, skills development and career advancement policies on the part of Member States and businesses, the identification of new target groups, and better and equal access to higher education for EU citizens;

- D. whereas Eurobarometer surveys show that 70 % of EU citizens think that immigrants are necessary for the European economy; whereas the number of foreign-born nationals coming from countries outside the EU-27 is estimated at 32 million, corresponding to 6.5 % of the total population;
- E. whereas the employment rate for third-country nationals between the ages of 20 and 64 is on average 10 % lower than the corresponding rate for nationals across the EU, and in addition many migrants are working in jobs below their level of qualification or in precarious situations, a phenomenon that can be counteracted by extending the scope of universally applicable collective labour agreements where they exist; whereas the demand for skilled workers is rising and will rise at a faster rate than that for less-skilled workers, but the average educational level of third-country nationals is below that of EU nationals, and young people with a migrant background are at greater risk of exiting the education and training system without having obtained an upper secondary qualification;
- F. whereas, while the EU can expect to receive a steady inflow of migrants, it has to compete globally for the best brains in order to attract and retain talent; whereas demographic change and rising global competition mean that the EU needs to address the issues that might act as a deterrent to such migration, and also to promote social innovation;
- G. whereas diverse, open and tolerant societies are more likely to attract skilled workers who possess the human and creative capital required to power knowledge economies, and thus Europe's attractiveness also depends on an active approach to employment, the provision of equal access to employment, the prospect of real integration, equal access to and non-discrimination in employment and education, and equality and success in education and training for students from a migrant background in the context of a 'welcoming culture', as well as the removal of administrative barriers;
- H. whereas gender stereotypes are more deeply rooted in immigrant communities, and migrant women are more often victims of the different types of violence against women, especially forced marriages, female genital mutilation, so-called 'honour crimes', ill-treatment in close relationships, sexual harassment in the workplace and even trafficking and sexual exploitation;
- I. whereas figures in the Gallup World Poll 2011 indicate that, worldwide, potential migrants who would prefer to work in a foreign country for a limited period of time outnumber those who want to emigrate permanently by two to one;
- J. whereas employment is the key to successful integration, and the EU's Integration Principles stress that quality, sustainable and paid employment or self-employment is a key part of the integration process, being 'central to the participation of immigrants, to the contribution immigrants make to the host society and to making such contributions visible';

- K. whereas it is estimated that between 1.9 million and 3.8 million immigrants are living and working in an irregular situation in the EU;
- L. whereas, approximately a quarter of the new jobs created since 2000 have been established through the contribution of immigrants; whereas migrants are increasingly opting for self-employment to find their way into the labour market, but in so doing are also more often experiencing financial difficulties; whereas migrant entrepreneurs and ethnic businesses play an important role in job creation and can function as community leaders and bridges to global markets and hence contribute to more successful integration; whereas, therefore, Member States need to provide more information for and raise awareness of these groups, for example by creating a ‘one-stop-shop’ website for aspiring entrepreneurs which would provide information on opportunities and challenges, on European and national subsidies, and on organisations and bodies providing assistance in the field of self-employment;
- M. whereas students from a migrant background continue to be disadvantaged in the education system and are more likely to leave without completing their studies;
- N. whereas red tape, the failure to recognise qualifications and the lack of opportunities to develop skills mean that the skills mismatch and associated brain waste is higher among immigrants than nationals;
- O. whereas globalisation of the economy goes hand in hand with social globalisation, and this has particular consequences in relation to external social security coordination for nationals of both EU Member States and third countries;
- P. whereas employment policies and neighbourhood policy go hand in hand in terms of achieving a better coverage of labour demand on the European labour markets;
- Q. whereas it will be impossible for individual Member States to conclude reciprocal bilateral social security agreements with all third countries, and seeking to do so would result in a fragmented system with inequalities in the treatment of EU citizens; whereas action at European level is therefore necessary;
- R. whereas responsibility at EU level for the integration of third-country nationals into the labour market, and for integration generally, is split between several Commission directorates-general and the European External Action Service;
- S. whereas there can be a similarly fragmented approach at national level between different departments and levels of government and different agencies, while local and regional authorities are crucial in terms of implementing integration strategies at grassroots level;
- T. whereas migrant women are more often affected by unemployment, low-wage jobs and skills mismatch;
- U. whereas migrant women are more often employed in fields, such as the informal care sector, which are not recognised by some of the Member States’ social security systems, and whereas they consequently do not have access to a pension scheme on retirement and are therefore exposed to poverty in their senior years;

- V. whereas a large proportion of third-country students in the EU do not work in the EU after completing their studies;
- W. whereas those from a migrant background suffer more often from poor performance at school, social exclusion including problems with regard to labour force participation, racism, xenophobia and discrimination, all of which factors impede their integration into the labour market;
1. Emphasises that integration into the labour market and into society requires commitment on both sides, on the one hand especially in relation to language learning, familiarity with and respect for the legal, political and social systems, customs and usages, and patterns of social interaction in the host country, and on the other hand by building an inclusive society, granting access to the labour market, institutions, education, social security, healthcare, access to goods and services and to housing, and the right to participate in the democratic process; stresses, accordingly, that educational institutions, religious, social, community and migrant organisations, sporting and cultural associations, the armed forces, the social partners, in particular trade unions, businesses and recruitment agencies bear a particular social responsibility in this context, recalling also that each actor has different strengths in the integration process;
  2. Believes that mutual commitment to integration can only obtain the widest possible support within society if it can be successfully mainstreamed and if Member States discuss the issue actively and openly with the public and offer credible ways of meeting the challenges currently presented by it;
  3. Points out that integration is a continuous two-way process requiring the involvement of both non-EU nationals and the host society; welcomes the many examples across the EU of good practices in the integration of migrants, asylum seekers and beneficiaries of international protection, often through projects carried out by local authorities, which play a key role in delivering on integration objectives;
  4. Notes that integration is launched most effectively in local communities. and therefore calls for EU support for the creation of an integration network of local and regional authorities, involving all civil society bodies operating at grassroots level in accordance with the 'bottom-up' principle, and possibly following the examples set by the CLIP<sup>1</sup>, ERLAIM<sup>2</sup>, ROUTES, City2City und EUROCITIES projects; stresses that towns and cities have a major role to play in this respect and deserve particular support;
  5. Calls on the Member States to firmly combat discrimination against third-country nationals and other EU citizens, particularly formal and informal discrimination in job-seeking and in the workplace; takes the view that firm action should be taken to counteract discrimination and racism in the wake of the economic and financial crisis and the accompanying rise in unemployment; stresses that employers are required by law to treat all employees equally and to avoid discrimination between them on grounds of religion, sex, ethnicity or nationality, thus promoting fundamental rights, whereas non-discrimination and equal opportunities are a crucial part of the integration process; calls

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<sup>1</sup> European network of cities for local integration policies for migrants

<sup>2</sup> European Regional and Local Authorities for the integration of migrants

on the Commission and the Member States to ensure that remuneration levels and rights under collective agreements are complied with in host countries for migrants too; calls on the Member States to monitor effective compliance in order to prevent wage and social dumping, to adopt common guidelines on tackling work-related discrimination and measures to mitigate the negative impact the legislative system can have on the lives of migrants, and to support activating policies which can lead to faster growth and reduce inequalities and income gaps;

6. Calls on the Member States to better integrate migration policies with respect to labour, in order to address labour shortages and with a view to boosting domestic production;
7. Calls on the Commission further to strengthen, through pre-accession assistance and closer monitoring of the progress made, the efforts of the enlargement countries to improve the social and economic inclusion of Roma, paying greater attention to the situation of Romani women and girls;
8. Takes the view that Member States' integration policies and measures must be better differentiated and tailored and of higher quality, and, most importantly, that they must distinguish between the needs of, for example, the well qualified and the poorly qualified, EU citizens and third-country nationals, migrants with and without offers of employment and with and without existing language skills or family ties in the host country, thus meeting the needs of all migrants; recalls that participation depends on the availability and affordability of such measures, as well as on the right to be accompanied by immediate family and the right to work for long-term partners;
9. Recalls that around half of the EU's migrants are women, and that an independent migration status for women and the right to work for spouses are crucial elements in ensuring effective integration;
10. Calls for a holistic gender-mainstreaming-type approach to be adopted at local, national and European level; calls for the principle of 'integration mainstreaming' to be introduced, whereby account is taken of integration-related issues in all political, legislative and financial measures, and to this end calls on Member States to ask the National Contact Points on Integration (NCPI) to report on progress in this area; calls on the Commission, in addition, to set up a cross-departmental integration group to tackle the issues of integration, (labour) migration and integration into the labour market, involving all the relevant directorates-general and the European External Action Service, as well as the relevant stakeholders;
11. Welcomes the establishment of the European Integration Forum, which provides a platform for civil society to discuss challenges and priorities with regard to migrant integration issues; would welcome stronger links between the Forum and the ongoing political and legislative process at EU level;
12. Considers that successful integration also includes participation in political decision-making processes and that, in particular, participation in society by migrants should be promoted; advocates, therefore, expanding the scope for participation in society and for political codetermination for people with a migrant background, and encouraging them to take advantage of such opportunities;

13. Recalls the importance of voting rights for migrants, particularly at the local level, as an important tool for integration and active citizenship; is concerned at the political under-representation of minorities at all levels of government, including at Member State level and in the European Parliament;
14. Emphasises that it is important to recognise that strong cultural identities need not detract from the strength of a national identity, and that national identity has to be sufficiently open and flexible to incorporate and accommodate the specific characteristics of citizens' different cultural origins and backgrounds that make up a pluralistic state;
15. Stresses that countries of origin also have a responsibility for facilitating integration into the labour market by offering affordable language and other preparatory courses, ensuring the provision of information, monitoring recruitment agencies to ensure their responsible behaviour, and maintaining contacts with their diaspora and/or the relevant departments of their embassies in host countries; encourages countries of origin, accordingly, to further develop programmes in this regard;
16. Calls for language and integration programmes in the host countries to cover - regardless of the cultural background, skills or area of professional expertise of the immigrant - the history, culture, values and principles of European democracy, the rule of law, and European remembrance, highlighting the rights and other principles contained in the Charter of Fundamental Rights while also combating entrenched gender stereotypes;
17. Draws attention to the increasingly important role played in integration by migrant women, who do not just offer great potential for the labour market and often have an important role to play in educating children and conveying standards and values, but also because they are the ones most frequently affected by discrimination and violence; calls on the Commission and the Member States to take action to significantly consolidate the juridical and social position of women, with a view to preventing discrimination over the whole range of policy fields and harnessing women's potential contribution, to economic and social development in particular;
18. Calls on the Member States to develop education and communication programmes to inform migrant women of their rights and responsibilities, and to set up multilingual counselling services for women;
19. Calls on the Commission and the Member States to collaborate closely with networks and NGOs working on issues relating to migrant women, in order to develop gender-sensitive policies and mainstream the concept of gender equality so as to protect the human rights of migrant women, to ensure equal opportunities in the field of employment and access to the labour market, while guaranteeing equal rights, and to combat and prevent all types of violence, labour and sexual exploitation, female genital mutilation, unfair practices, abduction, slavery, forced marriages and trafficking of women;
20. Stresses that the shortage of skilled labour should also be tackled by targeted education and vocational and lifelong training in the Member States, also within businesses; proposes, to that end, expanding the international dimension of the EU's lifelong learning mobility programme; stresses, furthermore, that underachievement and high school drop-out rates affecting children of migrant workers should be tackled by guaranteeing minors'

rights to education, by measures including funding, study grants, further learning pathways and the provision of information on Member States' education systems and the associated rights and obligations in as many languages as possible; recalls the success of the dual education system / dual training system used in some Member States in helping young migrants enter the labour market and bringing youth unemployment down; deems it necessary to train educational staff in managing diversity and to consider means of recruiting migrants to public-sector posts, particularly as teachers; encourages Member States to promote ethnic entrepreneurs and acknowledges their important role in integration, job creation and community leadership;

21. Calls on the Member States to inform foreign students concerning work opportunities after graduation and to facilitate their access to their labour markets, recalling that people who have lived and completed their studies in a country and have mastered its language may be considered already integrated; points out, moreover, that it makes no economic sense for the EU that resources invested in university graduates should be wasted because they cannot find jobs in the Union; calls on the Member States, therefore, to improve their assessment of labour demand and to create fair opportunities for job competition for migrant workers who have completed their studies in the territory of an EU Member State;
22. Recalls that the EU's neighbour countries are one of the main providers of job seekers on the European labour markets and represent a real asset for the development of the latter, and that similarities regarding educational programmes, historical background and languages represent valid assets for their integration;
23. Calls on the Commission to evaluate the possibility of drawing up and introducing a common, criteria-based European entry system, based on transparent criteria and in line with the European Qualifications Framework approach of accumulating and transferring credits, which would be open to the Member States on a voluntary basis; asserts that it should be possible to adjust such a system to labour-market conditions so as to make it easier to attract urgently needed skilled workers;
24. Stresses that the principle of equal pay and equal working conditions for equal work in the same workplace must apply to skilled workers arriving from both the EU and third countries;
25. Calls on the Commission, in connection with the proposed entry system, to consider developing an international platform on EURES for standardised job and skills profiles, bearing in mind the European Qualifications Framework approach of accumulating and transferring credits, in order to facilitate the recruitment of job-seeking migrants and the comparison of their capabilities, skills and qualifications;
26. Emphasises that by participating in an entry system based on the European Qualification Framework approach of accumulating and transferring credits, Member States would become more attractive to qualified third-country nationals, for whom this would constitute a simplification;
27. Emphasises the importance of needs-orientated, qualified migration accompanied by integration measures, and calls on the Commission and the Member States, together with their regions and municipalities, to introduce a joint system of coordination at European

- level to identify labour-force needs and direct labour migration more effectively; welcomes, therefore, the Commission's proposal to establish a European platform for dialogue on labour migration management, as well as a regular and systematic assessment of long-term supply and demand in the EU labour markets up to 2020, broken down by sector, occupation, level of qualification and Member State; stresses that such a plan should also clearly identify labour shortages in the EU in the short and medium term;
28. Recommends that such a system should at least include a list of occupations in deficit and an analysis of needs based on data provided by employers;
  29. Calls on the Member States, bearing in mind the Community preference clause and both in spite of and because of the constant shortage of skilled workers, to promote mobility within the EU and thus facilitate recruitment conditions, recruitment itself, and the integration of EU citizens from other Member States; calls on the Member States to develop tools and instruments to remedy labour market shortages by means of intra-EU mobility, and to invest in services for the reintegration of EU migrants who were unsuccessful in their search for work and have therefore returned to their home country;
  30. Stresses that it is not appropriate to exploit the subject of labour migration to frighten the public; notes that preconceived notions based on prejudice and resentment undermine the solidarity which forms the basis of society, and that populist exploitation of the issue should therefore be forcibly rejected;
  31. Recalls the important role of the mass media in shaping public opinion on immigration and integration, and calls for responsible journalism to foster mutual respect and understanding of each other's similarities and differences;
  32. Believes that migrants, refugees and asylum seekers should have easier access to the labour market, without encountering difficulties in gaining such access, and that they should be able to rely on a quick and inexpensive assessment and, where appropriate, recognition and validation of their diplomas, qualifications and skills, whether acquired through formal, non-formal or informal learning; calls on the Commission, therefore, to come up with concrete proposals on how a mechanism for the recognition of qualifications and diplomas of third-country nationals could be set up, including effective skills evaluation in case of absence of documents; recalls that to this end it is important to support transparency as regards competences, qualifications and skills in partner countries;
  33. Notes that labour market-oriented immigration can have positive effects on the social security systems of the host Member State, guaranteeing a well-qualified workforce and enhancing competitive advantage, thanks to cultural diversity (knowledge of languages, experience abroad, mobility, etc);
  34. Calls on the Commission and the Member States to work with the partner countries to place greater emphasis on combating child labour, with a view to creating decent jobs for adults instead and enabling children to receive a suitable education;
  35. Advocates the implementation of freedom of association for trade unions and the right to collective bargaining, without exceptions, in order to enforce, improve and defend decent

conditions of work;

36. Calls on the Commission and Member States to link up refugee, labour market and education policies and to ensure asylum seekers access to the labour market and to education as quickly as possible;
37. Calls for migrants to be prepared as rapidly as possible for the domestic labour market; points, in this connection, to best practice in the field of integration into the labour market, e.g. mentoring for migrants, integration pilots, ‘migrants for migrants’ and vocationally-based language courses, as well as the provision of help and encouragement for migrants’ school-age children and of support for start-ups by qualified people from migrant backgrounds;
38. Stresses that learning the language of the host country forms the basis for success in the service-oriented European labour market; further stresses that Member States must ensure that sufficient language learning opportunities are available, so that language barriers in the world of work cease to be an obstacle, and welcomes businesses’ own initiatives in this area;
39. Calls on the Member States, in this connection, to provide migrants with better information on opportunities and challenges, on European and national subsidies, and on organisations and bodies providing assistance, in the field of self-employment;
40. Supports the Commission in its plan to declare 2015 the European Year of Integration, while urging it to focus in particular on ‘Integration through Work’; calls on the Commission to ensure that this Year of Integration involves concrete legislative texts and benchmarks for the Member States;
41. Proposes that the Member States should exchange and further develop best practice on promoting diversity at work, e.g. coaching, support for start-ups, integration programmes, subsidised work, focus groups, diversification plans, individual counselling, language and skills training and anti-discrimination campaigns;
42. Observes that in many Member States insufficient efforts are made to integrate migrants, and that targeted efforts are therefore still required from the authorities; believes this is also attributable to an erroneous approach whereby migrants are primarily portrayed as a security risk, and that there is insufficient perception of the positive opportunities; considers that in many cases, therefore, qualifications obtained in the home country are not recognised nearly as much as they should be;
43. Recognises the potential of circular (labour) migration for producing a ‘triple win situation’ in which migrant, host country and home country all benefit, and calls on the Member States to open the door to and facilitate this type of immigration and emigration;
44. Stresses the importance in circular migration of focusing on the individual and on ensuring that the knowledge and skills acquired by individuals can be put to use on their return;
45. Calls on the Commission and the Member States to strengthen cooperation with third

countries in the field of circular migration and to include them in negotiations and treaties, in particular the Global Approach for Migration and Mobility and the associated Migration and Mobility Dialogues and mobility partnerships;

46. Accepts as an alternative framework, if one of the sides is not ready to enter into the full set of obligations entailed by a Mobility Partnership, the conclusion between the EU and third countries of Common Agendas for Migration and Mobility, while stressing that this should be only a transitional phase;
47. Welcomes particularly, in this connection, the plans to introduce Migration and Mobility Resource Centres (MMRCs) in the partner countries under the Mobility Partnership and Common Agendas, and urges that the idea of such centres should also be proposed to third countries;
48. Calls for action to promote intelligent strategies on circular migration, backed up by the necessary resources and legal guarantees and conditions to create secure jobs and prevent irregular immigration;
49. Notes that successful cooperation of this kind requires a long-term commitment which the EU is uniquely placed to make through its financial instruments, for example by supporting return and integration programmes with a circular migration feature;
50. Stresses the need to make circular migration programmes flexible and to take into account Article 8 of the ECHR and Directives 2003/109/EC and 2003/86/EC;
51. Stresses that language and skills training before arrival in the host country and preparation for return are useful measures in this connection, and notes the possibility of setting up pre-departure desks in both home and host countries;
52. Bearing in mind that migration and labour market policy should go hand in hand, calls on the Commission, in this context, to strengthen and give priority to the links between labour market demand, circular migration, development, and neighbourhood and foreign policy; welcomes the financial support that the EU has given so far for migration management in third countries, e.g. Migration EU expertise II (MIEUX II) and calls, in the funding of European projects, for the greatest possible synergies to be developed between the European Social Fund and the Asylum and Migration Fund;
53. Welcomes the existing EU instruments for the formulation of integration policies, for example the network of National Contact Points on Integration, the European integration website, the European Handbook on Integration, the European Integration Fund, the Asylum and Migration Fund, the EU immigration portal and the European integration modules;
54. Recalls the EU's Common Basic Principles for Immigrant Integration (CBPs); regrets the fact that Member States are not currently using the European Integration Fund to its full potential, and recalls that the aim of this fund is to support Member States' actions in implementing the CBPs;
55. Emphasises the need to identify, share and promote exchanges of best practice in those Member States and non-EU countries with the most gender-equitable immigration

policies;

- 56 Stresses the need to make optimal use of the 2013 European Year of Citizens with a view to focusing on the free mobility and full participation of migrant women in European society;
57. Calls on the Member States to conduct campaigns aimed at migrants with a view to combating the entrenched gender stereotypes in the communities concerned, improving the integration and participation of migrant women in society, the economy, education and the labour market, and combating gender-based violence;
58. Points out that many potential migrants face lengthy waiting times in Member States' consulates in their home states and that rapid, reliable and smooth placement in a circular employment relationship is extremely difficult in these circumstances; calls on the Commission and the Member States, therefore, to give more consideration to developing a common European consular service in the EU delegations and Member State embassies;
59. Encourages the training of staff at the European External Action Service (EEAS), especially staff working in EU Delegations, in the Global Approach to Migration, so as to ensure the effective mainstreaming of EU immigration policy in its external actions;
60. Strongly encourages the EEAS to seek a more active coordination role in the external dimension of the migration policy process;
61. Bearing in mind the principle of subsidiarity, calls on the Member States to open up a route into legality for people without papers who can earn their living through employment, and to deal swiftly and competently with requests for the renewal of status decisions and documents so that irregular migrants can participate in the social, political and economic life of the Member State concerned; recalls the importance of smart borders management on the EU's part, as well as the possibility of monitoring with the aid of biometric identifiers;
62. Considers that entry and residence must be governed by clear, fair and non-discriminatory rules which must conform to the standards of the rule of law at national and EU level; emphasises that entry criteria must be readily comprehensible and have long-term validity; notes that long-term residence entitlement in the foreseeable future is a key prospect as far as integration is concerned; stresses that language proficiency is important and should be encouraged and supported, but not used as a selection or penalty criterion;
63. Observes, with reference to Directives 2008/115/EC and 2009/52/EC, that illegal labour migration can be reduced not only by means of effective monitoring but also by making opportunities for legal immigration available more effectively;
64. Deplores the desperate situation of undocumented migrants and failed asylum seekers in the EU, many of whom are destitute, and calls for solutions to be found, with full respect for the fundamental rights of those concerned; notes that undocumented migrants have very few prospects for integration and that opening up channels for regularisation would improve integration prospects;

65. Regrets the recent changes to the ‘right to nationality at birth’ legislation in some Member States, which are resulting in more cases of statelessness in the EU;
66. Emphasises that both legal and illegal immigration are current phenomena and that a common legal framework on migration policies is needed in order to protect migrants and potential victims, especially women and children, who are vulnerable to various forms of organised crime in the context of migration and human trafficking; also emphasises that illegal migration can be reduced through a common legal framework;
67. Deplores the fact that many migrant women are misled in their countries of origin with promises of employment contracts in developed countries, and that some are even kidnapped to be sexually exploited by mafias and human trafficking networks; calls on the Member States to step up their efforts to combat these abusive and inhuman practices;
68. Calls on the Council, the Commission and the Member States to establish a legal framework guaranteeing immigrant women the right to hold their own passport and residence permit and making it possible to hold anyone taking those documents away from them criminally responsible for so doing;
69. Emphasises that the majority employment areas of migrant women are in the field of domestic services and personal care, regardless of their educational and professional experience; deplores the fact that the vast majority work without contracts on very low wages and with no social rights of any kind;
70. Welcomes ILO Convention No 189 on domestic workers, which will come into force in 2013, and calls on all Member States to ratify it without delay;
71. Welcomes the existing EU decisions on social security coordination which have been reached with Algeria, Morocco, Tunisia, Croatia, the Former Yugoslav Republic of Macedonia, Israel, Montenegro, San Marino, Albania and Turkey; calls on the Commission to take action to address the issue of social security coordination for third-country nationals, and especially the preservation of rights when leaving or re-entering the EU, and to accompany the EU’s migration policy with adequate measures addressing the acquired social security rights of migrants;
72. Welcomes, in this context, the Ibero-American Convention on Social Security, and proposes providing a possibility for further Member States to join this Convention, alongside Portugal and Spain, as a platform for European coordination; stresses that while bilateral agreements between EU Member States and third countries may provide for better social security protection, they make it difficult for third-country nationals moving between countries in the EU to be aware of their social security rights; welcomes, therefore, the Commission’s proposal for establishing an EU mechanism for the exchange of best practice and information on social security coordination, and proposes that the existing bilateral national agreements be collected, processed and made available in a transparent manner by the Commission; calls on the Commission to provide guidance for Member States entering into any bilateral agreement, so that to ensure more uniform application across the EU, on a basis of respect for both the EU Social Security Coordination and the ILO Social Security Conventions;

73. Calls on the Member States and the Commission to broaden the practical scope of the EU's association agreements with both third countries and wider regions as far as social security is concerned; calls, therefore, for the External Dimension of EU Social Security Coordination to be included as an important item in the EU's external relations and negotiations with third countries;
74. Points out that, even though the adoption of Regulation (EU) No 1231/2010 has allowed rights provided under Regulation (EC) No 883/2004 to be extended to third-country nationals, these rights can be claimed only in the case of crossborder activity within the EU, which means that most third-country nationals are excluded; expects that measures relating to access to social security already included in EU legislation, such as the Single Permit Directive, will be implemented fully;
75. Welcomes, in this connection, the extended scope of the rules on third-country nationals contained in Directive 2009/50/EC (the 'Blue Card Directive'), and calls on the Commission to evaluate the implementation of this directive and its impact on the labour market;
76. Stresses that the rights of EU citizens must also be protected outside the EU and in cases where they work or have worked in third countries;
77. Calls, therefore, for a uniform and reciprocal EU approach to social security coordination vis-à-vis third countries to be adopted, covering all EU citizens and third-country nationals, without prejudice to the rights of third-country nationals deriving from association agreements and developed by the European Court of Justice;
78. Proposes that consideration should also be given in this connection to an optional, voluntary and overarching '28th regime' for immigrants and EU citizens in other EU countries;
79. Welcomes the creation of the European Health Insurance Card, and urges that its use be further extended and simplified;
80. Stresses that the attractiveness of the European labour market also depends on whether pension and social entitlements can be transferred and remain valid in the event of return;
81. Welcomes the adoption of the Single Permit Directive, which allows for the portability of pensions for third-country nationals and their survivors in accordance with Regulation (EC) No 883/2004; calls on the current and upcoming EU presidencies, together with the Commission, to relaunch negotiations on the proposal for a directive on portability of supplementary pension rights;
82. Stresses that the EU plays a pioneering role in the external dimension of social security coordination and is in a position to set global standards;
83. Draws attention to the need for appropriate information systems to be developed for migrants, including, as regards access to relevant programmes and services, enabling potential migrants to make a proper assessment of the costs and benefits of migrating and helping them decide whether to do so; proposes that immigrants should be provided,

immediately on arrival, with information concerning their legal position on return; calls for the MISSOC system (the EU's Mutual Information System on Social Protection) to be used for this purpose;

84. Calls on the Commission and the Member States to organise European and national information campaigns aimed at increasing the participation of migrant women in democratic life, and to organise and support exchange platforms for migrant women;
85. Instructs its President to forward this resolution to the Council, the Commission, the Committee of the Regions, the European Economic and Social Committee and the national parliaments.

## EXPLANATORY STATEMENT

The European Union is at a turning point in employment policy. Since 2012 the working-age population has been declining for the first time in peace time in the 20th and 21st century. If there is no increase in immigration, the working-age population will fall by a further 14 million people in the next ten years.

As well as having a negative impact on the balance of European pension systems in the long term, this is also leading to a shortage of skilled workers in the short and medium term. This is already making itself felt – despite an EU unemployment rate of around 10% (23.8 million people) – and the situation will become more serious over the next few years. For example, between 380 000 and 700 000 IT posts will be vacant across Europe in 2015.

Qualified migration can make a key contribution to resolving this dual dilemma – decline in the working-age population and shortage of skilled workers. European citizens have understood this, and Eurobarometer surveys show that 70% of them consider immigrants necessary for the European economy.

Nevertheless, it is equally clear that immigration without a strategy leads to difficulties and poses a risk to the EU's competitiveness. The EU must assert its position in the global competition for the best brains. The goal of the Member States must be a qualitative rather than a quantitative migration policy. It is already clear today that the inward migration of highly skilled workers will pose a challenge. Integrating other EU citizens and third-country nationals with a migration background will be the social issue of our time.

However, it is precisely in this area that the problems are still felt. For too long, the Member States have simply let immigration happen without any clear strategy. This has been frustrating for the host country and above all for immigrants themselves. Immigrants are now far more likely to be affected by unemployment, skills mismatch, low-wage jobs or school dropout than nationals. For example, the employment rate among third-country nationals between the ages of 20 and 64 is on average 10% lower than the corresponding rate for nationals across the EU.

However, the contribution that immigrants make to our society cannot be overestimated. Since 2000, around a quarter of new jobs have been created thanks to the contribution made by immigrants. In 2011, 48.9 million people who were born abroad lived in the 27 EU Member States (9.7% of the total EU population).

Retroactive integration and managed migration therefore need to take place at the same time. Both can succeed only if Europe establishes itself as a continent with a welcoming culture. Social exclusion, racism and discrimination have no place in such a Europe.

It must also be clear that employment is the key to successful integration.

The rapporteur would therefore like to see a high-quality, differentiated and tailored integration policy in the Member States. Differentiation among target groups is particularly important here. A holistic approach to integration matters must be chosen at local, national

and European level, and these issues must be taken into account in all policies, legislation and financial instruments (integration mainstreaming).

The Commission's existing measures must therefore be grouped together and communicated more effectively. A first step would be the creation of a cross-agency group for integration that would address the topics of integration, (labour) migration and integration in the labour market, including all the relevant directorates-general and the European External Action Service.

An integration network of local and regional authorities should also be created, involving all social players at local level in fostering integration through the bottom-up principle.

With a view to promoting needs-driven migration, the rapporteur calls for the Commission and Member States, together with their regions and cities, to introduce a common European system to identify labour market needs, with a view to the improved targeting and management of labour migration.

The Commission should introduce a criteria-driven European points system on a voluntary basis. Where Member States do not have their own points system, they could participate in the European system and thereby supplement and optimise their own national migration policy. It should be possible to adapt such a system to labour market conditions in order to facilitate the inward migration of urgently needed skilled workers.

Migrants must have equal access to the labour market and be able to rely on the quick and inexpensive recognition and validation of their diplomas, qualifications and skills.

The Commission should also develop an international skills framework with standardised job profiles and skill profiles to facilitate the recruitment and comparison of migrants who are seeking employment.

Circular migration is another model that offers great potential for the future. It can and should lead to a triple win situation which will benefit migrant, host country and home country.

The Commission and Member States should therefore strengthen cooperation with third countries in the field of circular migration and include them in negotiations and treaties. A holistic approach should be taken, and links should be established between labour market requirements, circular migration, development policy and foreign policy. This should lead to an intelligent strategy on circular migration that has the necessary resources and legal guarantees and conditions to create secure jobs and prevent illegal immigration.

A holistic approach should above all include language and skills training before arrival in the host country and preparation for return. The establishment of pre-departure desks in the home and host country and the planned introduction of migration and mobility resource centres (MMRCs) in partner countries as part of mobility partnerships and common agendas are therefore useful steps in this direction. Another option would certainly be to consider the expansion of a common European consular service in EU delegations that could deal centrally with the administrative aspects of circular migration.

Finally, it is clear that economic globalisation necessarily goes hand in hand with social globalisation and that this has a particular impact on external social security coordination for EU and third-country nationals. The attractiveness of the European labour market also depends on whether pension and social entitlements can be transferred and remain valid in the event of return.

The rapporteur therefore calls for all possible steps to be taken to create a uniform transparent system at EU level. The Union must follow an EU approach to social security coordination vis-à-vis third countries in its external relations, covering all EU citizens and third-country nationals.

A first step would be to learn from existing EU agreements on social security coordination and/or to open up the Iberoamerican Convention on Social Security to other European countries and to use it as a platform.

The rapporteur also proposes giving consideration to an optional, voluntary and overarching '28th regime' for immigrants and EU citizens in other EU countries.

22.1.2013

## **OPINION OF THE COMMITTEE ON CIVIL LIBERTIES, JUSTICE AND HOME AFFAIRS (\*)**

for the Committee on Employment and Social Affairs

on the integration of migrants, its effects on the labour market and the external dimension of social security coordination  
(2012/2131(INI))

Rapporteur (\*): Juan Fernando López Aguilar(\*) Associated committee – Rule 50 of the Rules of Procedure

### **SUGGESTIONS**

The Committee on Civil Liberties, Justice and Home Affairs calls on the Committee on Employment and Social Affairs, as the committee responsible, to incorporate the following suggestions in its motion for a resolution:

1. Notes that in 2011, 48.9 million people resident in the 27 Member States had been born abroad (9.7% of the total EU population), 16.5 million coming from another EU Member State (3.3%) and 32.4 million from outside the EU (6.4%);
2. Believes that mutual commitment to integration can only obtain the widest possible support within society if it can be successfully mainstreamed and if Member States discuss the issue actively and openly with the public and offer credible ways of meeting the challenges currently presented by it;
3. Stresses that workforce mobility is an important and valuable ingredient in an increasingly globalised society, which owes its prosperity to trade in goods and services and the substantial contribution made by migrants; is of the opinion that fair participation in the labour market is a basic precondition for integration;
4. Points out that the impact of demographic changes in Europe will increase over the coming decades, as society is faced with an ageing population, longer life expectancies and a declining work age population; notes that the need for increasing migration makes inclusive and effective integration policies essential;
5. Stresses the commitments made with regard to the Europe 2020 Strategy for smart,

sustainable and inclusive growth; underlines, in this context, the potential benefits of improved integration of migrants into the labour markets in a number of areas;

6. Welcomes existing EU instruments for the formulation of integration policies, for example the network of National Contact Points on Integration, the European integration website, the European Handbook on Integration, the European Integration Fund, the Asylum and Migration Fund, the EU immigration portal and the European integration modules;
7. Points out that integration is most effective in local communities and that EU support is therefore required for the creation of an integration network of local and regional authorities involving all civil society bodies operating at grassroots level in accordance with the 'bottom-up' principle and possibly following the examples set by the CLIP<sup>1</sup>, ERLAIM<sup>2</sup>, ROUTES, City2City und EUROCITIES projects; stresses that towns and cities have a major role to play in this respect and deserve particular support;
8. Considers that entry and residence must be governed by clear, fair and non-discriminatory rules which must conform to the standards of the rule of law at national and EU level; emphasises that entry criteria must be readily comprehensible and have long-term validity; notes that long-term residence entitlement in the foreseeable future is a key prospect as far as integration is concerned; stresses that language proficiency is important and should be encouraged and supported, but not used as a selection or penalty criterion;
9. Considers that the principle of free movement of persons should be applied, inter alia, to help the internal market function properly; notes that people who have come to live in the European Union should be able to claim throughout the Union the social and labour-law entitlements which they have accumulated during their working lives;
10. Emphasises that both legal and illegal immigration are current phenomena and that a common legal framework on migration policies is needed in order to protect migrants and potential victims, especially women and children, who are vulnerable to various forms of organised crime in the context of migration and human trafficking; emphasises, too, that illegal migration can be reduced through a common legal framework;
11. Considers that successful integration also involves participation in political decision-making processes and that in particular, migrants' participation in society should be promoted; advocates, therefore, expanding the scope for participation in society and for political codetermination for people with a migrant background, and encouraging them to take advantage of such opportunities;
12. Observes, with reference to Directives 2008/115/EC and 2009/52/EC, that illegal labour migration can be reduced not only by means of effective monitoring but also by making opportunities for legal immigration available more effectively;
13. Emphasises that, in order to ensure successful integration of migrants, anti-discrimination laws must be enforced and any breaches must be sanctioned; stresses, in this context, that

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<sup>1</sup> European network of cities for local integration policies for migrants.

<sup>2</sup> European Regional and Local Authorities for the integration of migrants.

it is of particular importance that no discrimination on the basis of origin or religion is tolerated;

14. Points out that integration is a continuous two-way process requiring the involvement of both non-EU nationals and the host society; welcomes the many good practice examples across the EU of the integration of migrants, asylum-seekers and beneficiaries of international protection, often through projects carried out by local authorities, who play a key role in delivering on integration objectives;
15. Regards integration measures at local, regional and national level as an important point of departure; considers that there is therefore a need for non-discriminatory access to social insurance and health systems and for support measures aimed at specific target groups in education; stresses that the complaints and advisory systems which exist to combat discrimination, with specific powers to impose penalties, should be fully developed and well equipped in all Member States;
16. Observes that in many Member States insufficient effort is made to integrate migrants, and that targeted efforts are therefore still required from the authorities; believes that this is also attributable to an erroneous approach whereby migrants are primarily portrayed as a security risk; the positive opportunities are perceived far too little; considers that in many cases, therefore, qualifications obtained in the home country are not recognised nearly as much as they should be;
17. Recalls the EU's Common Basic Principles for Immigrant Integration (CBPs); regrets that Member States are not currently using the European Integration Fund to its full potential, and recalls that the aim of the fund is to support Member States' actions to implement the CBPs;
18. Notes the obstacles and discrimination that legal migrants face as regards access to employment;
19. Stresses that it is not appropriate to exploit the subject of labour migration to frighten the public; notes that preconceived notions based on prejudice and resentment undermine the solidarity which forms the basis of society, and that populist exploitation of the subject should therefore be strongly rejected;
20. Recalls the importance of voting rights, particularly at the local level, for migrants as an important tool for promoting integration and active citizenship; is concerned by the political under-representation of minorities at all levels of government, including at Member State level and in the European Parliament;
21. Deplores the desperate situation of undocumented migrants and failed asylum-seekers in the EU, many of whom are destitute, and calls for solutions to be found, with full respect for the fundamental rights of those concerned; notes that undocumented migrants have very few prospects for integration and that opening up channels for regularisation would improve integration prospects;
22. Recalls that around half of the EU's migrants are women; emphasises that an independent migration status for women and the right to work for spouses are crucial elements to

ensure effective integration;

23. Regrets recent changes to the ‘right to nationality at birth’ legislation in some Member States, which is increasing the incidence of statelessness in the EU;
24. Recalls the important role of the mass media in shaping public opinion on immigration and integration, and calls for responsible journalism to foster mutual respect and understanding of each other’s similarities and differences;
25. Welcomes the establishment of the European Integration Forum, which provides a platform for civil society to discuss challenges and priorities with regard to migrant integration issues; would welcome stronger links between the forum and the ongoing political and legislative process at EU level.

## RESULT OF FINAL VOTE IN COMMITTEE

<b>Date adopted</b>	10.1.2013
<b>Result of final vote</b>	+:                27 -:                17 0:                 2
<b>Members present for the final vote</b>	Jan Philipp Albrecht, Edit Bauer, Rita Borsellino, Emine Bozkurt, Philip Claeys, Carlos Coelho, Ioan Enciu, Frank Engel, Cornelia Ernst, Kinga Gál, Nathalie Griesbeck, Sylvie Guillaume, Anna Hedh, Timothy Kirkhope, Juan Fernando López Aguilar, Baroness Sarah Ludford, Monica Luisa Macovei, Svetoslav Hristov Malinov, Véronique Mathieu, Anthea McIntyre, Louis Michel, Claude Moraes, Georgios Papanikolaou, Carmen Romero López, Judith Sargentini, Birgit Sippel, Renate Sommer, Rui Tavares, Nils Torvalds, Wim van de Camp, Axel Voss, Renate Weber, Josef Weidenholzer, Cecilia Wikström, Tatjana Ždanoka, Auke Zijlstra
<b>Substitute(s) present for the final vote</b>	Alexander Alvaro, Dimitrios Droutsas, Mariya Gabriel, Ana Gomes, Stanimir Ilchev, Iliana Malinova Iotova, Jean Lambert, Marian-Jean Marinescu, Joanna Senyszyn
<b>Substitute(s) under Rule 187(2) present for the final vote</b>	Iuliu Winkler

6.12.2012

## **OPINION OF THE COMMITTEE ON FOREIGN AFFAIRS**

for the Committee on Employment and Social Affairs

on the integration of migrants, its effects on the labour market and the external dimension of social security coordination  
(2012/2131(INI))

Rapporteur: Cristian Dan Preda

### **SUGGESTIONS**

The Committee on Foreign Affairs calls on the Committee on Employment and Social Affairs, as the committee responsible, to incorporate the following suggestions in its motion for a resolution:

1. Supports the drive to standardise the Migration and Mobility Dialogues into broader frameworks for bilateral relations and the conclusion of Mobility Partnerships, and believes that priority should be given to the Union's neighbourhood as a whole in this context;
2. Strongly believes that the central aim of the Migration and Mobility Dialogues is to support and encourage legal migration, including labour migration; calls therefore for concrete action to be taken within the Partnerships to facilitate migration, notably through the recognition of qualifications of migrant workers;
3. Accepts as an alternative framework, if one of the sides is not ready to enter into the full set of obligations entailed by a Mobility Partnership, the conclusion between the EU and third countries of Common Agendas for Migration and Mobility, while stressing that this should be only a transitional phase;
4. Recommends that, in order to ensure the portability of social security rights, a standard reciprocal social security clause should be introduced in Association Agreements and that with countries that are not covered by an Association Agreement, an EU-level uniform and reciprocal social security agreement should be negotiated while ensuring full compliance with EU and national law;
5. Encourages the EU to take the lead at the global level on the portability of social rights, and to promote discussions, particularly in the framework of the ILO, on social protection

and social security coordination with other regions in the world;

6. Emphasises that, if well managed, migration – in particular circular migration – is beneficial for the EU and can contribute to better relations with third countries by enhancing better mutual understanding and cooperation through people-to-people contacts;
7. Stresses that particularly in post-conflict situations, circular migration can be a useful tool to facilitate the support of the diaspora for the reconstruction of the country of origin and helps forge a permanent link between it and the country of destination;
8. Notes that successful cooperation of this kind requires a long-term commitment that the EU is uniquely placed to make through its financial instruments, for example by supporting return and integration programmes with a circular migration feature;
9. Strongly encourages the EU to strengthen its commitment to the international protection of asylum seekers; to that end:
  - a) stresses that the EU should enable the European Asylum Support Office to increase cooperation with third countries in order to facilitate the implementation of the Common European Asylum System (CEAS) and to help them strengthen their asylum systems and national asylum legislation;
  - b) encourages the strengthening of the Regional Protection Programmes and implementation of new programmes where necessary;
  - c) encourages cooperation with the UNHCR in promoting effective implementation of the Geneva Refugee Convention;
10. Welcomes the creation of the EU Immigration Portal and dedicated Migration and Mobility Resource Centres, and encourages the countries of origin to get involved as well and to support would-be migrants by providing information and incentives for circular migration;
11. Encourages the training of staff at the European External Action Service (EEAS), especially of staff working in EU Delegations, in the Global Approach to Migration, to ensure the effective mainstreaming of EU immigration policy in its external actions;
12. Strongly encourages the EEAS to seek a more active coordination role in the external dimension of the migration policy process.

## RESULT OF FINAL VOTE IN COMMITTEE

<b>Date adopted</b>	3.12.2012
<b>Result of final vote</b>	+: 46 -: 2 0: 1
<b>Members present for the final vote</b>	Sir Robert Atkins, Frieda Brepoels, Arnaud Danjean, Marietta Giannakou, Andrzej Grzyb, Anna Ibrisagic, Anneli Jäätteenmäki, Jelko Kacin, Ioannis Kasoulides, Tunne Kelam, Nicole Kiil-Nielsen, Evgeni Kirilov, Maria Eleni Koppa, Andrey Kovatchev, Paweł Robert Kowal, Eduard Kukan, Alexander Graf Lambsdorff, Krzysztof Lisek, Mario Mauro, Francisco José Millán Mon, María Muñiz De Urquiza, Annemie Neyts-Uyttebroeck, Raimon Obiols, Ria Oomen-Ruijten, Pier Antonio Panzeri, Alojz Peterle, Bernd Posselt, Cristian Dan Preda, Tokia Saïfi, José Ignacio Salafranca Sánchez-Neyra, Jacek Saryusz-Wolski, György Schöpflin, Werner Schulz, Laurence J.A.J. Stassen, Charles Tannock, Sir Graham Watson
<b>Substitute(s) present for the final vote</b>	Laima Liucija Andrikiienė, Marije Cornelissen, Elisabeth Jeggle, Agnès Le Brun, Carmen Romero López, Marietje Schaake, Helmut Scholz, Ivo Vajgl, Luis Yáñez-Barnuevo García, Paweł Zalewski, Janusz Władysław Zemke
<b>Substitute(s) under Rule 187(2) present for the final vote</b>	Danuta Jazłowiecka, Giovanni La Via

7.11.2012

## **OPINION OF THE COMMITTEE ON WOMEN'S RIGHTS AND GENDER EQUALITY**

for the Committee on Employment and Social Affairs

on the integration of migrants, its effects on the labour market and the external dimension of social security coordination  
(2012/2131(INI))

Rapporteur: Joanna Senyszyn

### **SUGGESTIONS**

The Committee on Women's Rights and Gender Equality calls on the Committee on Employment and Social Affairs, as the committee responsible, to incorporate the following suggestions in its motion for a resolution:

- A. whereas migrant women play an increasingly important role in the development of the economies and labour markets of both countries of origin and destination countries;
- B. whereas gender stereotypes are more deeply rooted in immigrant communities, and migrant women are more often victims of the different types of violence against women, especially forced marriages, female genital mutilation, so-called honour crimes, ill-treatment in close relationships, sexual harassment in the workplace and even trafficking and sexual exploitation;
- C. whereas migrant women are often the most vulnerable victims of discrimination, stereotypes, unfair treatment and labour exploitation, in many cases lacking access to social services and legal protection and being subjected to physical, psychological, economic and sexual abuse;
- D. whereas social exclusion is a key factor contributing to increased vulnerability, whereas a large number of women and girls are victims of trafficking and whereas, while women are often trafficked for sexual exploitation, a significant number of girls are victims of trafficking for various purposes including forced begging, labour exploitation, organ trafficking and illegal adoption;
- E. whereas it is critical that migrant women are given the opportunity to enter the EU labour market in a safe and legal manner;
- F. whereas migrant women, like many other women, are suffering the serious effects of the

economic and financial crisis;

- G. whereas migrant women are more often employed in fields, such as the informal care sector, which are not recognised by some of the Member States' social security systems, and whereas they consequently do not have access to a pension scheme on retirement and are therefore exposed to poverty in their senior years;
- H. whereas the downgrading and non-recognition of academic and professional qualifications obtained in third countries significantly affect migrant women and consequently lead them to seek employment in unskilled and socially unregulated professions;
  - 1. Emphasises the need to increase awareness of, respect for, and the implementation and protection of, migrant women's rights in all of the EU's immigration, integration, employment and social policies;
  - 2. Points out that the jobs of migrant workers are much less secure on account of the fact that migrants, particularly migrant women, often work in the lowest-ranked jobs on the labour market in terms of skills, pay and prestige;
  - 3. Calls on the Commission and the Member States: to collaborate closely with networks and NGOs working on issues relating to migrant women, in order to develop gender-sensitive policies and mainstream the concept of gender equality so as to protect the human rights of migrant women; to provide equal opportunities in the field of employment and access to the labour market, while guaranteeing equal rights; and to combat and prevent all types of violence, labour and sexual exploitation, genital mutilation, unfair practices, abduction, slavery, forced marriages and trafficking of women;
  - 4. Urges the Member States: to develop appropriate policies in full compliance with European and national legislation; to implement specific measures to promote and ensure the smooth and equitable integration of migrant women, including acquisition of legal status, recognition of qualifications and educational levels attained in third countries, inclusion in social security schemes, the right to a decent wage, access to healthcare, health and safety standards in the workplace and access to childcare facilities, education, social services, training and life-long learning, social security benefits and protection under labour legislation in receiving countries; and to involve trade unions, NGOs and civil society in the development of such policies and measures;
  - 5. Calls on the Member States and regional and local authorities to facilitate access by migrant women to information, and the exercise of their sexual and reproductive rights, through campaigns specifically targeted at this group, talks held in health centres and greater collaboration with NGOs working with migrant women;
  - 6. Calls on the Member States to mobilise local institutions to support active participation by migrant women in the social fabric, ensuring that their interests are represented and defended and thereby promoting their socialisation and integration within the local community;

7. Calls on the Council, the Commission and the Member States to grant immigrant women arriving under family reunification arrangements a legal status independent of that of their spouse, if possible within one year of their arrival;
8. Calls on the Council, the Commission and the Member States to guarantee immigrant women and girls a residence permit, in particular those who are victims of physical and psychological violence, and to ensure that all possible administrative measures are taken to protect them, including effective access to assistance and protection mechanisms;
9. Calls on the Council, the Commission and the Member States to establish a legal framework guaranteeing immigrant women the right to hold their own passport and residence permit and making it possible to hold a person criminally responsible for taking these documents away;
10. Calls on the Member States to establish and promote gender-sensitive legal practices for regulating the recruitment of migrant workers, and to facilitate access to information and consultation regarding labour laws, their social, economic and labour rights and legal and civil assistance in relevant languages, and to provide access to inexpensive legal recourse where necessary;
11. Calls on the Member States to develop education and communication programmes to inform migrant women of their rights and responsibilities, and to set up multilingual counselling services for women;
12. Calls on the Commission to set up a system to monitor the situation of migrant women in the labour market as regards minimum wages, working conditions and the effective implementation of health and safety regulations;
13. Calls on the Member States to prepare accurate, comparable and consistent statistics as regards the situation of migrant women in various sectors of life, on the basis of appropriate indicators;
14. Urges the Member States: to develop efficient and transparent mechanisms for the recognition of educational and professional qualifications obtained in third countries, thereby making it easier for migrant women to enter the labour market and avoiding a situation where they are obliged to take jobs for which they are overqualified; to provide training opportunities for women lacking skills; and to ensure access for migrant women to vocational and lifelong training, advice from labour law experts and free or low-cost language courses;
15. Emphasises that the majority of migrant women's employment is in domestic services and personal care, regardless of their educational and professional experience; deplores the fact that the vast majority work without contracts on very low wages and with no social rights of any kind;
16. Takes the view that Member States' integration policies and measures must not discriminate on the basis of qualifications and origin in relation to migrants' access to, and integration into, host countries, and that they should therefore combat the distinction between EU citizens and third-country nationals and between migrants with or without a

job offer; takes the view that they should also combat all forms of exploitation of illegal employment;

17. Calls on the Member States to ratify without delay ILO Convention No 189 on domestic workers, which was adopted by the tripartite organisation in 2011 with the aim of securing decent working conditions for domestic workers and the same basic labour rights as those available to other workers;
18. Stresses that full integration must take account of the right to family reunification, the right to payments for dependent family members (family allowances) and access to public family support services, in particular crèches, kindergartens and schools;
19. Deplores the fact that many migrant women are misled in their countries of origin with promises of employment contracts in developed countries, and that some are even kidnapped to be sexually exploited by mafias and human trafficking networks; calls on the Member States to step up their efforts to combat this abusive and inhuman practice;
20. Emphasises that migrant women often face multiple discrimination, not only on account of being both women and migrants, but also on account of belonging to an ethnic minority or being disabled; calls on the Commission and the Member States to ensure the protection of migrant women against all forms of maltreatment, abuse, harassment, gender-based violence and discrimination, and to guarantee their right to seek legal advice against employers who mistreat them;
21. Calls on the Member States to conduct campaigns aimed at migrants with a view to combating the entrenched gender stereotypes in these communities, improving the integration and participation of migrant women in society, the economy, education and the labour market and combating gender-based violence;
22. Calls on the Commission and the Member States to organise European and national information campaigns aimed at increasing the participation of migrant women in democratic life, and to organise and support exchange platforms for migrant women;
23. Calls on the Member States to inform women migrant workers of their rights and of complaint procedures, and to provide them with contact details for workers' rights groups;
24. Calls on the Member States to ensure that pension contributions paid in the country of origin are duly recognised and that pension entitlements accrued in a Member State may be transferred to migrant women's countries of origin;
25. Calls on the Commission further to strengthen – through pre-accession assistance and closer monitoring of the progress made – the efforts of the enlargement countries to improve the social and economic inclusion of Roma, paying greater attention to the situation of Romani women and girls;
26. Calls on the Member States and the Commission to develop occupational profiles for migrant women and to compile data on the integration of migrant women into the labour market;

27. Emphasises the need to identify, share and promote exchanges of best practices in those Member States and non-EU countries with the most gender-equitable immigration policies;
28. Stresses the need to make optimal use of the 2013 European Year of Citizens with a view to focusing on the free mobility and full participation of migrant women in European society.

## RESULT OF FINAL VOTE IN COMMITTEE

<b>Date adopted</b>	6.11.2012
<b>Result of final vote</b>	+: 12 -: 8 0: 0
<b>Members present for the final vote</b>	Regina Bastos, Edit Bauer, Emine Bozkurt, Marije Cornelissen, Mikael Gustafsson, Mary Honeyball, Sophia in 't Veld, Constance Le Grip, Astrid Lulling, Krisztina Morvai, Norica Nicolai, Siiri Oviir, Joanna Senyszyn, Joanna Katarzyna Skrzydlewska, Marc Tarabella, Britta Thomsen, Anna Záborská, Inês Cristina Zuber
<b>Substitute(s) present for the final vote</b>	Minodora Cliveti, Silvia Costa, Mariya Gabriel, Kartika Tamara Liotard

## RESULT OF FINAL VOTE IN COMMITTEE

<b>Date adopted</b>	24.1.2013
<b>Result of final vote</b>	+:                34 -:                0 0:                0
<b>Members present for the final vote</b>	Edit Bauer, Heinz K. Becker, Phil Bennion, Pervenche Berès, Vilija Blinkevičiūtė, Milan Cabrnich, Alejandro Cercas, Minodora Cliveti, Marije Cornelissen, Emer Costello, Andrea Cozzolino, Frédéric Daerden, Sari Essayah, Marian Harkin, Nadja Hirsch, Stephen Hughes, Jean Lambert, Thomas Mann, Csaba Óry, Siiri Oviir, Sylvana Rapti, Licia Ronzulli, Elisabeth Schroedter, Joanna Katarzyna Skrzydlewska, Jutta Steinruck, Traian Ungureanu, Andrea Zaroni
<b>Substitute(s) present for the final vote</b>	Georges Bach, Malika Benarab-Attou, Sergio Gutiérrez Prieto, Richard Howitt, Paul Murphy, Jens Nilsson, Ria Oomen-Ruijten