EUROPEAN PARLIAMENT

2004 *2009*

Committee on Employment and Social Affairs

2005/0048(CNS)

23.3.2006

OPINION

of the Committee on Employment and Social Affairs

for the Committee on Civil Liberties, Justice and Home Affairs

on the proposal for a Council decision establishing the European Fund for the Integration of Third-country nationals for the period 2007-2013 as part of the General programme 'Solidarity and Management of Migration Flows' (COM(2005)0123 – C6-0238/2005 – 2005/0048(CNS))

Draftsman: Jan Jerzy Kułakowski

PA_Leg

SHORT JUSTIFICATION

Introduction

The Commission's proposal for a Council decision establishing the European Fund for the Integration of Third-Country nationals for the period 2007-2013 is one of four forming part of the framework programme on 'Solidarity and the Management of Migration Flows for the period 2007-2013'.

- Financial framework

The total amount earmarked for the 'Solidarity and the Management of Migration Flows' framework programme for the period 2007-2013 is EUR 5 866m[1], broken down as follows:

1. Fund for the Integration of Third-Country Nationals: EUR 1 771m;
2. Asylum Fund: EUR 1 184m;
3. European Return Fund: EUR 759m;
4. External Borders Fund: EUR 2 152m.

The draftsman welcomes the setting-up of an independent fund that, in the name of fundamental values of the European Union such as the free movement of people and solidarity, aims to protect the interests of third-country nationals within a host country. The draftsman supports the Fund's principles, which largely meet the goals of integration policy. These goals include providing Member States with more possibilities for monitoring integration policy and enhancing the host society's ability to accept and adjust to growing diversity. The draftsman considers this goal to be a priority.

Comments, reservations and criticism

1. Allocation of resources: the allocated funding will be higher for the new Member States (i.e. countries that joined on 1 May 2004 and those set to join on 1 January 2007 (Bulgaria and Romania)). Support for third-country nationals, particularly in the new Member States, is a justified expression of solidarity. Nevertheless, integration is not just a social but also a political and economic issue in the old Member States. This is illustrated by recent events in France, which affected French citizens originating from third countries in addition to third-country nationals.
2. The term 'third-country national' disguises the issue of legal versus illegal migration to a host country. This presents a problem not only with regard to legal migrants but also in terms of plans and steps to legalise third-country nationals not covered by the European Return Fund.
3. The question could be raised of whether the proposal's main aim is an area of security for the European Union or the socially beneficial integration of third-country nationals in host countries. In the draftsman's opinion, these goals are synonymous. Even so, comparison of the sums earmarked for the individual funds reveals that the largest amount is allocated to guarantee the European Union's security, i.e. to the External Borders Fund.

[1] COM(2005)0123.

4. It should be recognised that the complementary nature of the European Social Fund and the Integration Fund is dependent on the EU not only taking care of its own affairs but also taking joint responsibility for social issues in countries that lie outside its borders. However, the co-dependence of the Integration Fund and the European Social Fund could mean that Integration Fund financing is determined by the European Social Fund.
5. It is important to distinguish clearly between refugees and migrants, although this is difficult in that the line separating economic and social factors from political motivations as regards migration and refugees is often fluid.
6. It is important to establish whether the main focus of activities under the Integration Fund should be to strengthen the integration structures of the Member States or to enhance the ability of third-country nationals to integrate. This is not clear from the proposal and the draftsman believes that these two aims are important and mutually inclusive.
7. There is much talk within the European Union of combating illegal immigration. This term should be extended to cover the causes of illegal immigration, in line with the principle of solidarity between the European Union and third countries.
8. The proposals primarily, if not exclusively, concern newly-arrived third-country nationals. It should be decided, however, whether citizens who arrived in the European Union some time ago may also benefit from the Fund. This matter is not clearly addressed in the proposal.
9. In reference to the Lisbon Strategy, it can be stated that the integration of third-country nationals in the societies of the European Union contributes to social cohesion within these countries, i.e. that it is also important for the European Union's competitiveness policy.
10. As a final remark, the European Parliament should support the proposals, which are sensible and will benefit both third-country nationals and the citizens of host countries. The draftsman again wishes to stress that, in addition to its aim to assist Member State societies, the proposal for an Integration Fund is and should be an expression of the European Union's support for and openness towards third countries.

AMENDMENTS

The Committee on Employment and Social Affairs calls on the Committee on Civil Liberties, Justice and Home Affairs, as the committee responsible, to incorporate the following amendments in its report:

Text proposed by the Commission[1]	Amendments by Parliament
Amendment 1 Recital 2	
(2) The European Council, at its special meeting in Tampere on 15 and 16 October	(2) The European Council, at its special meeting in Tampere on 15 and 16 October

[1] OJ C ... /Not yet published in OJ.

1999, stated that the European Union must ensure fair treatment of third country nationals who are legally on the territory of its Member States. A more vigorous integration policy should aim at granting them rights and obligations ***comparable to those of EU citizens***. It should also enhance non-discrimination in economic, social and cultural life and develop measures against racism and xenophobia.	1999, stated that the European Union must ensure fair treatment of third country nationals who are legally on the territory of its Member States. A more vigorous integration policy should aim at granting them ***clear*** rights and obligations. It should also enhance non-discrimination in economic, social and cultural life and develop measures against racism and xenophobia.

Justification

The policy of integration of third-country nationals must seek to ensure that they do not suffer discrimination compared to European citizens of the host Member State.

Amendment 2
Article 1, paragraph 1

This decision establishes for the period from 1 January 2007 to 31 December 2013 the European Fund for integration of third-country nationals, hereinafter referred to as « The Fund », as part of the General programme "Solidarity and Management of Migration Flows", in order to contribute to the strengthening of the ***area of Freedom, Security and Justice*** and more generally to the attainment of the objectives of the European Union.	This decision establishes for the period from 1 January 2007 to 31 December 2013 the European Fund for integration of third-country nationals, hereinafter referred to as « The Fund », as part of the General programme "Solidarity and Management of Migration Flows", in order to contribute to the strengthening of the ***integration of migrants and of social cohesion*** and more generally to the attainment of the objectives of the European Union.

Justification

Among the main priorities of the "Managing of migration flows" programme should be the integration of migrants and the strengthening of social cohesion. The allocation of resources' should reflect this increased need; therefore a more balanced allocation of the funds is necessary.

Amendment 3
Article 1, paragraph 2

This decision defines the objectives to which the Fund contributes, its implementation, the available financial resources and the distribution criteria for the allocation of the available financial resources.	This decision defines the objectives to which the Fund contributes, its implementation, the available financial resources***, which should reflect the increased need to strengthen the integration of migrants and social cohesion,*** and the distribution criteria for the allocation of the available financial resources.

Justification

Among the main priorities of the "Managing of migration flows" programme should be the integration of migrants and the strengthening of social cohesion. The allocation of resources' should reflect this increased need; therefore a more balanced allocation of the funds is necessary.

Amendment 4
Article 2, paragraph 1

(1) The general objective of the Fund is to support the efforts of Member States in enabling third-country nationals of different cultural, religious, linguistic and ethnic backgrounds to settle and take actively part in all aspects of European societies as regards admission procedures, basic introduction programmes and activities***, participation in civic and political life and respect for diversity and civic citizenship***.	(1) The general objective of the Fund is to support the efforts of Member States in enabling third-country nationals of different ***political, economic, social,***cultural, religious, linguistic and ethnic backgrounds to settle and take actively part in all aspects of European societies as regards admission procedures, basic introduction programmes and activities.

Justification

The participation of third-country nationals in the political life of a Member State and respect for civic citizenship must be decided on by the Member State in question.

Amendment 5
Article 3, point (b)

(b) Contribution to the organisation and implementation of introduction programmes and activities for third-country nationals aiming at introducing newly arrived third-country nationals to the host society and enabling them to acquire basic knowledge about the host society's language, history, institutions, socio economic features, cultural life and the fundamental norms and values,	(b) Contribution to the organisation and implementation of introduction programmes and activities for third-country nationals aiming ***in the first instance*** at introducing newly arrived third-country nationals***, and if necessary earlier arrivals,*** to the host society and enabling them to acquire basic knowledge about ***their social rights and duties,*** the host society's language, history, institutions, socio economic features, cultural life and the fundamental norms and values,

Amendment 6
Article 3, point (c)

(c) Increase of civic, cultural and ***political***	(c) Increase of civic, cultural and ***socio-***

participation of third-country nationals in the host society and improve dialogue between different groups of third-country nationals, ***the government and*** civil society, in order to promote ***their active citizenship*** and recognition of fundamental values;	***economic*** participation of third-country nationals in the host society and improve dialogue between different groups of third-country nationals, ***authorities at national, regional and local level,*** civil society ***and the social partners***, in order to promote ***peaceful coexistence*** and recognition of fundamental values;

Justification

The political participation of third-country nationals continues to be the responsibility of Member States. The participation of the social partners in improving the reception and integration of third-country nationals is indispensable.

Amendment 7
Article 3, point (e)

(e) Strengthening of the ability of the host society to adjust to ***increasing*** diversity ***by targeting integration actions at the host population, thus*** emphasizing the two way process required for successful integration, taking into account the developments in the area of diversity management;	(e) Strengthening of the ability of the host society to adjust to diversity ***by organising information and awareness campaigns against racism and xenophobia*** emphasizing the two way process required for successful integration, taking into account the developments in the area of diversity management;

Justification

A change in people's outlook in the host Member States will facilitate the smooth flow of third-country nationals and make relations with them easier.

Amendment 8
Article 3, point (f)

(f) Increase of the capacity of Member States to develop, monitor and evaluate integration policies for third country nationals.	(f) Increase of the capacity of Member States to develop, monitor and evaluate integration policies for third country nationals ***and facilitate exchanges of experience and good practice between Member States, especially as regards policies for the integration***.

Amendment 9
Article 3, point (f a) (new)

	(fa) Increase the ability of Member States to adapt their integration strategies and policies to new circumstances, depending on the findings of the evaluation.

Justification

National policies and strategies for the social integration of third-country nationals must be revised and adjusted to new social circumstances on the basis of the monitoring and evaluation procedure, so as to ensure that they are efficient and effective.

Amendment 10
Article 4, paragraph 2, point (a)

(a) develop and improve the quality of introduction programmes and activities for newly arrived third-country nationals ***at local and regional level***, with a particular emphasis on civic orientation;	(a) develop and improve ***at local and regional level*** the quality of introduction programmes and activities ***both*** for newly arrived third-country nationals ***facing integration problems and for those already established***, with a particular emphasis on civic orientation ***and social and labour law***;

Justification

The development and improvement of introduction programmes and activities must also concern third-country nationals who have been residing for a long period of time on Community territory and face problems of social integration.

Amendment 11
Article 4, paragraph 2, point (b)

(b) reinforce the capacity of introduction programmes and activities to reach out to particular groups, such as dependants of persons subject to admission procedures, ***children, women, elderly, illiterate or third-country nationals with disabilities***, taking into account their specific needs in light of criteria set for successfully completing introduction programmes;	(b) reinforce the capacity of introduction programmes and activities to reach out to particular groups, such as dependants of persons subject to admission procedures, ***analphabets and persons that might face multiple discrimination on the grounds of sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation***, taking into account their specific needs in light of criteria set for successfully completing introduction programmes;

Amendment 12
Article 4, paragraph 2, point (c)

(c) increase the flexibility of introduction programmes and activities related to civic	(c) increase the flexibility of introduction programmes and activities related to civic

orientation, in particular through part time courses, fast track modules, distance or E-learning systems or similar models, enabling third-country nationals to follow the programmes while at the same time working or studying;	orientation, in particular through part time courses, fast track modules, distance or E-learning systems or similar models**,** ***preferably at neighbourhood level, in close cooperation with neighbourhood organisations***, enabling third-country nationals to follow the programmes while at the same time working or studying ***or the introduction of combined work-study programmes or internships to facilitate integration in the job market***;

Justification

The first step of integration of migrants shall take place in neighbourhoods in order to increase the interaction between the new comers and the host society, while providing the migrants with the tools for better integration.

Amendment 13
Article 4, paragraph 2, point (c b) (new)

	(cb) identify long-term needs in the labour market and industrial sectors in order to develop long-term action plans also for the employment of third-country nationals so as to facilitate their integration and to avert the threat of unemployment;

Justification

The planning of long-term measures for the employment of third-country nationals depends to a great extent on identifying labour requirements by sector and branch.

Amendment 14
Article 4, paragraph 2, point (d)

(d) develop and implement introduction programmes or activities related to civic orientation, targeting at young third-country nationals, in particular "late arrivals", with specific social and cultural problems related to identity issues and prevention of delinquency, including mentoring and "role-model" programmes.	(d) develop and implement introduction programmes or activities related to civic orientation ***and preparation for employment***, targeting at young third-country nationals, in particular "late arrivals", ***those who could have difficulties in integrating and those*** with specific social and cultural problems related to identity issues and prevention of delinquency, including mentoring and "role-model" programmes.

Justification

a) Even with an uncertainty about the possibility to stay, young 3rd country nationals should be given a perspective for the future. This should involve some kind of preparation for employment b) There are particular issues for the group of "late arrivals"; therefore they should be included in a special target group.

Amendment 15
Article 4, paragraph 2, point (d a) (new)

(da) develop and implement training programmes and action programmes directed at disadvantaged social groups;

Justification

Member States should provide educational programmes and activities for specific vulnerable groups, such as the dependents of persons who are undergoing the admission procedure, children, women, the elderly, the illiterate or disadvantaged persons so as to promote their participation and integration in economic, social and cultural life and reinforce their rights.

Amendment 16
Article 4, paragraph 2, point (d b) (new)

(db) improve organisation of cooperation between the educational sector and various sectors of the economy.

Justification

In order to avert the threat of unemployment for third-country nationals who have already arrived and reside on the territory of the European Union, efforts must be stepped up to invest in human resources through appropriate training.

Amendment 17
Article 4, paragraph 3, point (a)

(a) contribute to the development of inter-faith and ***religious*** dialogue platforms between communities (horizontal) and between communities and policy and decision-making authorities (vertical) aiming at respect for civic citizenship and at diversity;	(a) contribute to the development of inter-faith and ***cultural*** dialogue platforms between communities (horizontal) and between communities and policy and decision-making authorities (vertical) aiming at respect for civic citizenship and at diversity;

Justification

Inter-faith and inter-religious dialogue refer to the same concept. Intercultural dialogue, separate from the issue of religion, is also important.

Amendment 18
Article 4, paragraph 3, point (a a) (new)

	(aa) combat discrimination, especially in, but not limited to, the labour market;

Amendment 19
Article 4, paragraph 3, point (c)

(c) contribute to enhanced civic participation of particular groups of third-country nationals, such as dependants of persons selected for admission programmes, ***children, women, elderly, illiterate or persons with disabilities***;	(c) contribute to enhanced civic participation of particular groups of third-country nationals, such as dependants of persons selected for admission programmes, ***or persons that might face multiple discrimination on the grounds of sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation, taking into account their specific needs***;

Amendment 20
Article 4, paragraph 3, point (e)

(e) increase third-country nationals' participation in ***local elections and*** democratic processes by supporting awareness raising and information campaigns and capacity building programmes designed thereto;	(e) increase third-country nationals' participation in democratic processes by ***improving contacts with and visibility of political parties and elected members of local, regional and national parliaments,*** supporting awareness raising and information campaigns and capacity building programmes designed thereto;

Justification

The political participation of third-country nationals through elections must remain the exclusive responsibility of Member States. In order to increase third-country nationals' participation in the democratic processes it is important to strengthen the contact with political parties and elected members of national, regional and local parliaments.

Amendment 21
Article 4, paragraph 3, point (f a) (new)

	(fa) facilitate the integration of third-country nationals in the job market, for example through internships or combined study/work programmes, and combat discrimination in all Member States, especially in, but not limited to, the labour market.

Amendment 22
Article 4, paragraph 4, point (a)

(a) render more accessible ***service providers for third-country nationals by providing inter alia intercultural interpretation and translation services,*** mentoring programmes, intermediary services by representatives of communities, developing and improving access to one-stop-shop information points and to improve the staff's intercultural capacities;	(a) render more accessible mentoring programmes ***and*** intermediary services by representatives of communities, developing and improving access to one-stop-shop information points and to improve the staff's intercultural capacities;

Justification

The idea of having accessible national service providers for translation and interpreting for third-country nationals is unrealistic, but programmes are feasible.

Amendment 23
Article 4, paragraph 5, point (a)

(a) promote knowledge within the host society of the contents and consequences of the introduction programmes, activities and admission programmes and interaction ***thereon*** with public and private service providers, employers, including SME, educational and other institutions;	(a) promote knowledge within the host society of the contents and consequences of the introduction programmes, activities and admission programmes and interaction ***on such programmes*** with public and private service providers, employers, including SME, ***social partners,*** educational and other institutions;

Amendment 24
Article 4, paragraph 5, point (b a) (new)

(ba) develop shared and common norms and values of host and migrant communities, for example through the facilitation of dialogue;

Amendment 25
Article 4, paragraph 5, point (d)

(d) promote the dialogue and exchanges between (youth) organisations ***of*** different cultures;	(d) promote the dialogue and exchanges between (***especially*** youth) organisations***, with support for all organisations that take cultural diversity into account or are rooted in*** different cultures;

Justification

This does not apply only to youth organisations but to all organisations that take cultural diversity into account.

Amendment 26
Article 4, paragraph 5, point (g a) (new)

(ga) promote a climate of trust by encouraging interaction between third-country nationals and members of the host society through mentor programmes.

Justification

Voluntary mentor programmes, where individuals or a whole family from the host country sign up for a mentor programme for individuals or a family, have proven to contribute to a successful integration of third-country nationals.

Amendment 27
Article 4, paragraph 6, point (b)

(b) contribute to the evaluation of immigration and integration policies for third country nationals by supporting national impact assessments, mechanisms for consultation of stakeholders such as employers and educational institutions, evaluation mechanisms and monitoring	(b) contribute to the evaluation of immigration and integration policies for third country nationals by supporting national impact assessments, mechanisms for consultation of stakeholders such as employers***, trade unions, the relevant (government) authorities, immigrants' organisations*** and educational institutions,

measures;	evaluation mechanisms and monitoring measures***, in which account must be taken of past experience in this area***;

Amendment 28
Article 4, paragraph 6, point (e a) (new)

	(ea) promote exchanges between Member States, particularly the exchange of good practice, including giving due attention to the Major Cities Policy of the Member States.

Amendment 29
Article 5, paragraph 1

1. At the Commission's initiative, up to ***7%*** of the Fund's available resources may be used to finance transnational actions or actions of interest to the Community as a whole ("Community actions") concerning immigration and integration policy and measures applicable to the target group as referred to in Article 6.	1. At the Commission's initiative, up to ***15%*** of the Fund's available resources may be used to finance transnational actions or actions of interest to the Community as a whole ("Community actions") concerning immigration and integration policy and measures applicable to the target group as referred to in Article 6.

Justification

This should reduce the existing disproportion among the Integration Fund, External Borders Fund and the Return Fund.

Amendment 30
Article 6, paragraph 1, point (a)

(a) third country nationals who have obtained an authorisation issued by the authorities of a Member States to stay legally on its territory, be it for employment, self-employment, family reunification or any other purpose set out in national law***, except for third country nationals or stateless persons who qualify as a refugee or are eligible for subsidiary protection in accordance with Council Directive 2004/83/EC of 29 April 2004***; and	(a) third country nationals who have obtained an authorisation issued by the authorities of a Member States to stay legally on its territory, be it for employment, self-employment, family reunification or any other purpose set out in national law; and

Justification

In several Member States the procedures for the qualification of third country nationals as refugees can be very lengthy, up to 12 years. Additionally, recognised refugees can potentially remain in the host country for many years or even forever, since there is no guarantee that they will be allowed to return to their home countries. Hence, they should be included in the integration process, regardless of the duration of their stay.

Amendment 31
Article 19, paragraph 1, point (b)

(b) analysis of requirements in the Member State in question in terms of the national integration strategies and, where available, admission and introduction programmes, and an indication of operational objectives designed to meet these requirements during the period covered by the multiannual programme;	(b) analysis of requirements in the Member State in question in terms of the national integration strategies and, where available, admission and introduction programmes, and an indication of operational objectives designed to meet these requirements during the period covered by the multiannual programme. ***In planning multiannual national programmes particular account must be taken of the particular needs of third-country nationals with disabilities.***

Justification

In planning multiannual national programmes, each Member State must take into account and make appropriate plans to meet the special needs of third-country nationals with disabilities.

PROCEDURE

Title	Proposal for a Council decision establishing the European Fund for the Integration of Third-country nationals for the period 2007-2013 as part of the General programme 'Solidarity and Management of Migration Flows'
References	COM(2005)0123 – C6-0238/2005 – 2005/0048(CNS)
Committee responsible	LIBE
Opinion by Date announced in plenary	EMPL 6.9.2005
Draftsman Date appointed	Jan Jerzy Kułakowski 15.6.2005
Discussed in committee	25.1.2006 20.3.2006
Date adopted	21.3.2006
Result of final vote	+: 23 –: 3 0: 17
Members present for the final vote	Jan Andersson, Roselyne Bachelot-Narquin, Iles Braghetto, Milan Cabrnoch, Alejandro Cercas, Ole Christensen, Derek Roland Clark, Proinsias De Rossa, Harald Ettl, Richard Falbr, Joel Hasse Ferreira, Stephen Hughes, Ona Juknevičienė, Jan Jerzy Kułakowski, Jean Lambert, Raymond Langendries, Bernard Lehideux, Elizabeth Lynne, Thomas Mann, Mario Mantovani, Ana Mato Adrover, Maria Matsouka, Ria Oomen-Ruijten, José Albino Silva Peneda, Csaba Őry, Siiri Oviir, Marie Panayotopoulos-Cassiotou, Pier Antonio Panzeri, Jacek Protasiewicz, Kathy Sinnott, Jean Spautz, Gabriele Zimmer
Substitute(s) present for the final vote	Edit Bauer, Mihael Brejc, Françoise Castex, Dimitrios Papadimoulis, Leopold Józef Rutowicz, Agnes Schierhuber, Elisabeth Schroedter, Georgios Toussas, Evangelia Tzampazi, Anja Weisgerber, Tadeusz Zwiefka
Comments (available in one language only)	