



### **Discussion paper regarding integration of third country nationals**

At the European Council in Seville in June 2002 it was once again confirmed that the establishment of a common policy on asylum and immigration is of a very high priority within the EU.

The integration of third country nationals with a legal stay in the Member States of the European Union is closely linked to legislation regarding the rights and obligations of third country nationals. Integration of third country nationals is thereby closely linked to the present process within the EU regarding the creation of a common European asylum and immigration policy, including measures to combat and eliminate discrimination.

The Treaty establishing the European Community (TEC) contains in Title IV provisions regarding rights and obligations for third country nationals – especially regarding visas, asylum, immigration and free movement of persons.

Integration of third country nationals is primarily the responsibility of each Member State. However, the importance of a co-ordinated European action in this field has been underlined at European level at several occasions.

### **Integration of third country nationals within the Member States of the EU**

At its meeting in Tampere in October 1999 the European Council emphasised the importance of “ensuring fair treatment of third country nationals who reside legally on the territory of its Member States”. In the Presidency Conclusions it is stated that “a more vigorous integration policy should aim at granting third country nationals 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”.

It was further stated that “the legal status of third country nationals should be approximated to that of Member States’ nationals. A person, who has resided legally in a Member State for a period of time to be determined and who holds a long-term residence permit, should be granted in that Member State a set of uniform rights which are as near as possible to those enjoyed by EU citizens”. It was mentioned that



these rights could be “the right to reside, receive education, and work as an employee or self-employed person, as well as the principle of non-discrimination vis-à-vis the citizens of the State of residence”.

At the European Council in Lisbon in March 2000 one of the overall strategies to achieve the new strategic goals regarding employment, economic reform and social cohesion was “modernising the European social model, investing in people and combating social exclusion”. It was stated in the Conclusions that “actions addressed to specific target groups (for example minority groups) should be developed....”.

In Nice December 2000 the European Council endorsed the European Social Agenda where it is stated that a policy to fight poverty and social exclusion “must be accompanied too by action to ensure equal treatment for all third country nationals residing lawfully on Union territory”. In the European Social Agenda reference is made to the Tampere Conclusions regarding a more vigorous integration policy for third country nationals legally resident on Union territory. It is also stressed that the EU should “develop exchanges of experience on national integration policies”.

Finally in Seville in June 2002 the European Council underlined that “the joint management of migration flows must strike a fair balance between, on the one hand, an integration policy for lawfully resident immigrants and an asylum policy complying with international conventions, and, on the other hand, resolute action to combat illegal immigration and trafficking in human beings”.

It can also be mentioned that the Council in September 2000 adopted the European Refugee Fund based on TEC Article 63. The Fund supports among other measures Member States’ action relating to integration of persons whose stay in a Member State is of a lasting and/or stable nature. In the Council Decision it is as regards integration into the society of the Member States regarding these persons and members of their family stated that the action referred to in the Refugee Fund “may in particular be to provide social assistance in areas such as housing, means of subsistence and health care or to enable beneficiaries to adjust to the society of the Member State or to provide for themselves”.

The Commission has stressed the importance of integration in its Communication on a Community Immigration Policy as of 22 November 2000. The Commission suggests among other things that “a Community Action Programme to promote the integration of third country nationals could be developed...”. This programme should aim at “improving the understanding of the issues concerned through evaluation of practices, developing benchmarks and other indicators, promoting dialogue between the actors concerned and supporting European networks and the promotion of awareness raising activities”.

The Commission also suggests that “settlement packages could be developed for all new migrants tailored to their needs”, which could include “language training, information on political and social structures, accessing services etc”.

### **A more vigorous integration policy for third country nationals?**

In the beginning of July 2002 the Danish EU Presidency hosted the Conference ‘Successful Integration on the Labour Market’ in Copenhagen with the participation of representatives from Member States, Candidate Countries, regional and local authorities and non-governmental organisations.

The Conference focused on four themes: competence and mobility, diversity management and integration, integration on the labour market via efforts in local communities and structural barriers to integration. A Conference Report on the outcome of the discussions will be distributed.

The aim of this Conference was not only to enable experts to exchange positive experience regarding the mentioned issues but also to ensure a continued focus on the importance of integration of third country nationals with legal residence within Europe.

Although integration on the labour market is of crucial importance to the integration process, integration has several other dimensions.

At the Conference it was generally underlined that integration should take place in all parts of society and relate to the conditions for and actual participation in all aspects of the economic, social, cultural, civil and political life in the host country.

It is the aim of the Danish Presidency to initiate a first informal debate between ministers on how to proceed in order to ensure the necessary follow up to conclusions from the European Council regarding this important issue.

As a first step co-operation in the field of integration of third country nationals at an EU level could for example involve an exchange of new experiences and ideas between Member States and the development of best practices. In this context it could be useful to discuss the possibility of establishing broad and overall objectives within the EU regarding key elements in the integration process.

Questions related to the integration of third country nationals often involves several policy areas and different authorities in the Member States – for example authorities responsible for immigration, social and health issues and the employment and education area. To facilitate the exchange of experience between Member States the establishment of national contact points could therefore be considered.

Dependant of the outcome of discussions at this informal Council meeting general and broad Council Conclusions could be prepared for a discussion and possible approval at the Justice and Home Affairs Council meeting on 14 – 15 October 2002.

### **Towards overall objectives regarding integration within the EU?**

During the discussions at the Conference on Successful Integration on the Labour Market in Copenhagen it was generally emphasised that co-operation regarding integration of third country nationals on an European level should build on the principles outlined by the European Council. Reference was especially made to the Tampere and Seville Conclusions.

As already mentioned it is stated in the Tampere conclusions that a more vigorous integration policy should aim at granting third country nationals 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.

Ministers are asked to consider in which way the issue of integration of third Country nationals could play a more significant role at the European agenda. The Presidency invites Ministers to share their opinion on the following questions:

1. Do Ministers agree that integration policies should seek to grant lawfully resident immigrants rights and obligations as near as possible to those enjoyed by EU citizens in order to ensure the possibility of their actual participation in all aspects of the economic, social, cultural, civil and political life in the host country?
2. How can Member States promote integration and also access to the labour market for third country nationals legally residing in the Member States and overcome specific barriers such as discrimination, superfluous language and educational requirements? Another possible barrier, which could also be examined, is the composition of national welfare systems.
3. Do Ministers agree that co-operation between Governments as policy makers and local authorities, social partners, non-governmental and migrant organisations is crucial in the strive for the best possible integration?
4. How could the exchange of positive experience and best practice on integration of third country nationals be facilitated at European level? What could be the role of the European Union?