



Framework of integration policies

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Framework of integration policies

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Introduction

Purpose of the framework

The framework is a checklist for those working on the implementation of integration policies. It brings together all the various proposals and recommendations which have been made in various Council of Europe bodies, beginning with the Community Relations Report in 1991, subsequent guidance in the series of community relations booklets; and by the project "Democracy, Human Rights, Minorities". It also incorporates recommendations made by the Parliamentary Assembly, the Committee of Ministers and the European Commission against Racism and Intolerance (ECRI). The texts of the various European Conventions are not included in the separate sections, except for those very specifically concerned with the legal status of immigrants.

The framework maps the type of action needed into three parts:

- Policies and measures needed in the context of new arrivals of immigrants.
- Policies and measures aimed at the promotion of equal opportunities for long-term immigrants.
- Policies and measures needed in multicultural societies with an ethnically diverse population. Many of these are also relevant to national minorities.

Although the recommendations in the framework cover a wide range of areas, they are not comprehensive, and need to be considered in the context of an overall strategy and the particular social and political context of the member State concerned. The three stages are for guidance and need to be interpreted flexibly, as there is not an incremental progression between each. For example, member States with established ethnic minority populations also receive new immigrants. In some sections, this division into policies for new arrivals and more established populations is not appropriate, and has not been applied.

Potential users of the framework

The proposals and recommendations contained in the framework are addressed to:

- governments and decision-makers in public authorities at various levels, national, regional and local, as policy makers and legislators,

- governments and public authorities indirectly, in their roles in supporting, facilitating, stimulating and encouraging action by non-governmental organisations and agencies,
- non-governmental authorities such as employers, trade unions, the media and private landlords,
- government's own direct functions, as an employer; a provider of public services; and in enforcing legal instruments.

The framework can be used by governments in all member States, to:

- review gaps in policies and their implementation,
- consider whether the reasons for not implementing a particular measure are still relevant,
- consider whether further action is needed,
- stimulate action by other organisations particularly employers and the media.

General human rights standards in Europe

The human rights standards to be taken into account by governments when devising integration policies and respective normative frameworks are contained, on European level, in the following legal instruments:

The European Convention on Human Rights

The European Convention on Human Rights applies to everyone within the jurisdiction of the Contracting Parties irrespective of their nationality or their residence status. Article 14 of the Convention secures that the enjoyment of the rights and freedom enshrined in the Convention has to be secured without distinction on any grounds such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status.

The Convention contains few provisions, which apply specifically to aliens, such as Article 16 or Articles 2 to 4 of the Fourth Protocol conferring a certain number of rights to aliens who are lawfully on the territory of the Contracting Party concerned.

The rights guaranteed in the Convention to nationals and aliens may be divided into three categories:

- absolute rights allowing no derogation, like the right to life or the freedom from torture, inhuman and degrading treatment or punishment;
- qualified rights, allowing state interference under certain conditions (e.g. respect of private and family life, freedom of religion, expression or assembly);

- “minimum” rights considered as the lowest common denominator among member States (e.g. the right to a fair trial and to liberty and security of person).

Attention has to be drawn in this context to the recent Strasbourg case law with regard to the guarantees provided by Article 8 to integrated aliens concerning their security of residence (protection against expulsion) and their right to family reunification.

The European Social Charter

As the counterpart of the European Convention on Human Rights, which secures civil and political rights, the Charter contains social and economic rights. It lays down standards governing working life, social protection and the protection of particular groups, such as migrant workers and their families. It applies, though, on the basis of reciprocity only to nationals of other Contracting Parties lawfully resident or working regularly within the territory of the Contracting Party concerned.

Its Articles 18 and 19 refer specifically to migrant workers and their families. Article 18 secures the right to engage in a gainful occupation in the territory of other Contracting Parties, and Article 19 guarantees the right of migrant workers and their families to protection and assistance.

The principle of equality of treatment is laid down in paragraphs 4 to 7 of Article requiring Contracting Parties to secure for migrant workers “treatment not less favourable than that of their own national” in various areas. As the Committee of Independent Experts states on one occasion: “The Contracting Parties should not limit the fulfilment of their obligations under these provision to ensuring non-discrimination between their own nationals and foreigners but should pursue a positive and continuous course of action” .

The Committee’s case law on the provision concerning family reunion chiefly concerns two aspects: determining which family members are eligible to be admitted for purposes of family reunion, and assessing the various conditions and restrictions which the Contracting Parties attached to it.

Article 19 paragraph 8 provides security against expulsion. Firstly, expulsion can only take place on accepted grounds, which are restrictively defined, and secondly, in the procedures, which must afford adequate protection.

Other relevant Council of Europe Legal Instruments

The European Convention on the legal status of migrant workers, which came into force in 1983 is designed to complete the protection granted to migrant by the European Social Charter and is based on the principle of equality of treatment between migrants and nationals of the host country.

Its provision concern the essential aspects of the legal situation of migrant workers, notably recruitment, work and residence permits, family reunion, housing, working conditions and trade-union rights, social security and return. It also applies only to nationals of other Contracting Parties.

The European Convention on Establishment entering into force in 1965 aims at granting migrants equal treatment with nationals of the country of residence, to liberalise access to employment and other gainful occupations and to guarantee immigrants who have lived in the country for several years, security of residence and protection against sudden deportation. It applies only to nationals of other Contracting Parties.

Since 1963, when the Convention on the reduction of cases of multiple nationality and on military obligations in cases of multiple nationality was opened for signature, there has been a growing recognition that numerous problems concerning nationality, in particular on multiple nationality, have not been sufficiently considered by that Convention. Consequently, a *European Convention on Nationality* was adopted in 1997, taking into consideration that labour migration between European States leading to substantial immigrant populations, the need for the integration of permanent residents and the growing number of marriages between spouses of different nationalities, etc. It was also felt that States should remain free to take into account their own particular circumstances in determining the extent to which multiple nationality is allowed by them.

In 1997 the *European Convention on Participation of Foreigners in Local Public Life* entered into force. It extends civil and political rights at local level to foreign residents. The provisions of the Convention fall into three chapters: freedom of opinion, assembly and association and the involvement of foreign residents in procedures for the consultation of the local population; the creation of consultative bodies at local level; the right to vote and to stand as candidates in local authority elections.

The *European Charter for Regional or Minority Languages*, opened for signature in 1992, is designed to protect and promote regional and minority languages. It lists the objective and principles on which the States are to base their policies, legislation and practice, contains a non-discrimination clause concerning the use of these languages and indicates measures to be adopted in order to foster their use.

The *Framework Convention for the Protection of National Minorities* – the application of which can be extended, by State declaration, to ethnic minorities – defines objectives, which State Parties undertake to pursue, through legislation and appropriate governmental policies, at a national level. It is also envisaged that these provisions can be implemented through bilateral and multilateral treaties.

Each subject has a separate section, and three parts, indicating to whom the measure is applicable. Notes at the end of each section give the sources of the recommendation.

Format and scope of the Framework

The framework includes the following sections:

1. Legal Measures

Recommendations concerned with the legal status and rights of immigrants:

- residence rights;
- citizenship, nationality and political participation;
- anti-discrimination, equal opportunities and legal protection against racism, xenophobia and discrimination.

2. Employment

Action by private and public sector employers, and training organisations.

3. Housing

4. Health and other services

5. Culture, language and religion

Bringing together the work on community relations, and that of the Council for Cultural Co-operation.

6. Education

Drawing on the work of the Council for Cultural Co-operation.

7. Media

8. Government functions

Action relating to governments' own functions in providing services, employment resources, and in co-ordinating and stimulating action by other organisations.

9. Monitoring and evaluation

Qualitative and quantitative tools for evaluating progress.

Recommendations from the reports of two studies about immigrant women and integration, and from a study of participation, have been incorporated into the relevant sections.

Section 1: Legal measure

Part 1: Residence Rights

Why Residence Status is important for integration

A secure residence status for immigrants is a necessary prerequisite for their integration. Without security, a person cannot feel part of the receiving society and has little incentive to take steps to become part of it. Public authorities too have little incentive to include immigrants with uncertain status in social welfare programmes, and they may have limited access to health care, and social housing. Temporary status also reduces employability, and restricts immigrants to temporary, low skilled work. It is important for residence permits to be issued in a relatively short time.

The establishment of normal family life is essential for immigrants, to establish themselves in the receiving country, and for their psychological well being.

Protection against expulsion is essential to security of residence.

Recommendations to governments

- Recruit migrant workers in compliance with the provisions of the European Convention on the Legal Status of Migrant Workers.
- Renew residence permits as long as the work permit is valid, and for at least one year where there is an indefinite work permit.¹
- Allow migrant workers family reunion, including the spouse and unmarried children considered minors in the receiving state.² Allow these persons the right to take up employment.³
- Strengthen the legal status of long-term and settled immigrants by giving security of residence.⁴ Introduce a permanent residence permit to long-term aliens.⁵
- Give spouses entering under family reunion provisions the independent right of residence as soon as possible.⁶
- Avoid needless delays in the entry of the spouse into the country of residence, except where strictly necessary for administrative procedures.⁷
- Allow immigrants the freedom to travel outside their country of residence.⁸

- Within the European Union, gradually introduce measures, which eliminate the status between EU nationals living in a member state and long-term third country nationals.⁹
- Protect migrant workers against expulsion, in the event that they lose their job for reasons beyond their control.¹⁰
- Reach bilateral agreements on the recognition of foreign marriages and divorce, custody and access to children, and apply national legislation flexibly to allow for minority cultural and religious family practices, within the principles of law and human rights.¹¹

Part 2: Citizenship, nationality and political participation

Why measures are needed

Acquiring citizenship is a means of facilitating integration. The rights and status of long-term immigrants and people of second and subsequent generations continue to be relevant to their integration, although they are no longer newcomers. Fair, transparent regulations for the acquisition of citizenship and for establishing rights to permanent settlement are vital for encouraging immigrants to feel secure and committed to their receiving country.

Once they are settled, feel secure and begin to feel part of society, immigrants can make social and political commitments to their adopted countries, and accept its obligations. Another basic need to facilitate this is for freedom of association. Being able to meet others and form associations, is a first step in settling and becoming part of any receiving society.

The next step is for political participation. Having political rights is important because it encourages a sense of belonging and participating in national life. The European Convention on the Participation of Foreigners in Local Life is relevant.

The following recommendations are appropriate for encouraging settled immigrants to integrate more fully, and also for encouraging flexibility on the part of the receiving society.

Recommendations to governments

- Allow easy access to naturalisation and dual nationality for settled immigrants.¹²
- Make residence and not nationality the main criterion for the attribution of rights and obligations by the state, including participation in the political system.¹³
- Facilitate acquisition of nationality for the second generation, either automatically at birth, or at 18, or the right to opt for nationality having long residence at 18.¹⁴

- Ensure that rules on nationality do not allow any practice which amounts to discrimination on the grounds of sex, religion, race, colour, national or ethnic origin, membership of a national minority.¹⁵
- Allow children having different nationalities acquired automatically at birth to retain these nationalities, and its nationals to possess another nationality where this other nationality is automatically acquired by marriage.¹⁶
- In the European Union, extend the right to stand and vote in local and European elections to third country nationals.¹⁷
- Remove legal restrictions on immigrant and ethnic associations.¹⁸

Part 3: Legal Measures against racism, xenophobia and discrimination

Many Council of Europe texts have recommended that basic needs should be met for all immigrants. One basic need is for there to be protection for all persons, who live in the country, including those who are undocumented, against racist and xenophobic activities, particularly against harassment and violence. This is essential for encouraging immigrants, to feel more confident and safe.

The importance of effective laws against discrimination on grounds of race, ethnic origin, and religion has also been recognised in many Council of Europe texts. This helps prevent immigrants and ethnic minorities becoming marginalised and excluded, and can facilitate integration by reducing barriers to their economic and social progress.

Article 14 of the European Convention for the Protection of Human Rights requires Contracting Parties to secure the rights and freedoms enshrined in the Convention without discrimination on grounds of race, colour, language, religion, and national origin. Article 4 of the Framework Convention for the Protection of National Minorities requires Contracting Parties to the Convention to prohibit discrimination on the basis of belonging to a national minority.

Recommendations to governments

- Ensure that there are adequate legal provisions against racial harassment and violence.¹⁹
- Ensure that there is adequate legal and psychological support for victims, both to bring cases against perpetrators, and to rebuild confidence.²⁰
- Make it an offence to incite hatred, discrimination or violence against any racial, ethnic, national or religious group.²¹
- Ensure that there is effective legislation against direct and indirect discrimination in the fields of employment and in the supply of goods and

services to the public. Include adequate remedies for victims of discrimination, using civil and administrative law, and assistance or support for victims.²²

- Provide a legal basis for positive or affirmative action/employment equity requirements.²³
- Review national legislation to remove provisions which may engender racial discrimination or prevent equal treatment.²⁴

Section 2: Employment

Part 1: Entering Employment

Why employment is important

Employment is essential for integration. Employment provides a regular income and economic independence, security, status, and opportunities for interaction with people from the majority community, and for social integration.

Once an immigrant's basic economic needs are met, he or she will look for recognition and advancement. Progression to higher level jobs and a better income becomes significant to settled immigrants. A good job determines a person's quality of life, affects their self-esteem, and gains them recognition in the wider community. Settled immigrants and people from the ethnic minorities have the same levels of hope and personal aspiration as people in general. They expect the same employment opportunities and standards of living as everyone else, and become frustrated and angry when they feel that these opportunities are unfairly denied to them.

Many immigrants initially take jobs in the least attractive sectors of the labour market, where there is less competition. Immigrants may lack recognised skills, qualifications or the language fluency needed to compete for better jobs. They face discrimination, under-employment, and experience higher levels of unemployment than the general population. When they aspire to progress, many find it difficult progress into jobs with better prospects, and become trapped in low-paid unskilled sectors. This also tends to affect the second generation. Such discrimination and structural disadvantage are a waste of human potential and can lead to economic and social problems.

Many Council of Europe reports have recognised the key importance of providing equal opportunities for employment and training for immigrants and people from the ethnic minorities. There is wide acceptance that range of positive measures are needed, both to ensure equality of opportunity, and to help overcome lack of linguistic or other competencies. Improving the employment position and prospects of immigrants and ethnic minorities has a direct effect on integration. Establishing equal opportunities and harmonious relationships between different ethnic groups at work can play a central role.

General measures aimed at reducing educational and economic disadvantages of the socially excluded will also help integrate disadvantaged immigrants and ethnic minorities. However, general policies to reduce social exclusion may not be effective for particular minority groups, because of some experience multiple and accumulative disadvantages which are unique to these communities. These may include poor local language fluency, poor job search knowledge and self presentational skills, more restricted social networks and the consequences of racial discrimination, such as loss of confidence and disaffection. Special provision to meet the particular needs of disadvantaged immigrant or ethnic minority needs depends on two factors:

- the degree of exclusion,
- the nature of their training or educational needs.

If people from a particular ethnic group or immigrants are severely marginalised so that there is a breakdown of confidence, trust and acceptance, it may be necessary to rebuild this confidence and trust with separate provisions for a limited period. Otherwise the minority concerned does not come forward for provision, or drops out because he/she feels isolated. It will also be necessary to take steps to encourage people from particular communities to come forward to take advantage of opportunities, and to develop channels of communication with these communities.

If the particular training or educational need is not found in other job seekers (e.g. language training, basic skills training with remedial education, some aspects of job search and self-presentation), it may be necessary to adapt mainstream programmes and offer preliminary education or basic training to enable those affected to enter standard training.

Although these examples are de facto special provision, and may be seen as special treatment, it is important to be explicit about the reasons. It is provided to meet a need shared by people with a common background or common experiences. It is not being provided because the people concerned belong to a particular ethnic group. Special provision, and adapting programmes may be more costly, or more likely may require the reallocation of resources. But if additional measures are relevant and meet needs effectively, they will improve access and economic participation and reduce social costs.

Training of public officials: Training public officials is an important element of an integration strategy. They must have an understanding of ethnic and cultural diversity, be sensitive to discrimination and how attitudes can affect behaviour and be competent in multi-ethnic communications, inter-cultural management and service provision. It is also useful for public authorities to adopt explicit codes of conduct with a statement of the organisation's equal opportunity policy, aims and explicit rules about fair, respectful, non-discriminatory conduct of public officials.

Governments and employers ought to take into account the recommendations of the social partners of October 1995. The Joint Declaration on the prevention of racial discrimination and xenophobia, and the promotion of equal treatment at the workplace sets out measures which can be taken by organisations to prevent discrimination based on race, religion, ethnic or national origin or colour.

Recommendations to governments

- Ensure that newly arrived immigrants and settled immigrants who lack fluency have access to language courses.²⁵
- Provide reception and orientation courses in the culture and society of the receiving country, including preparation for work for newly-arrived immigrants. Take into account the specific needs of women, including the effects of double disadvantage against them, and consider the need for childcare provisions.²⁶
- Establish a system for the recognition of prior foreign educational, vocational and professional qualifications.²⁷
- Provide supplementary education or training schemes, to adapt and enhance qualifications to national requirements.²⁸
- Provide pre-vocational training and access training for immigrants/disadvantaged ethnic minorities to bring disadvantaged people to the standards required for entry to mainstream provision. Provide specific information on opportunities for immigrant women, in order to tackle the problem of isolation.²⁹
- Review government labour market and training policies and ensure that they meet the needs of immigrants and ethnic minorities, especially young people.³⁰
- Ensure that government strategy to promote equal opportunities includes the provision of vocational training for immigrants and disadvantaged members of ethnic minority groups.
- Ensure that immigrants and ethnic minorities have equal access to public vocational employment training.
- Encourage the private sector to organise training and development programmes for disadvantaged members of ethnic minority and immigrant communities.
- Ensure that vocational training provision for immigrants is flexible; able to meet a variety of individual needs, and that as the training is likely to be more expensive than standard vocational training, funding provided is adequate.³¹
- Pay particular attention to the needs of immigrant young women.³²

Part 2: Advancement in employment

Why these measures are needed

Discrimination, structural and social disadvantages continue to affect settled immigrants and also people from the ethnic minorities. They are less likely to progress within the workplace to more skilled positions or to become managers. They are more likely to be unemployed or be in lower paid less secure work. Young people of immigrant origin perceive that they have poor economic prospects and this can lower their motivation, and may feel frustrated, and have a sense of injustice.

Employers have an important role to play in providing equal opportunities, and in providing training and development for ethnic minority people, so that they are able to compete on an equal basis. By investing in the employment potential of immigrants and ethnic minorities, employers can also contribute towards building more stable local communities and to developing more vibrant local economies.

Employers also gain from having a more diverse workforce. They have access to a source of under-utilised talent, which is increasing in significance because the immigrant and ethnic minority communities are younger than the population as a whole and an increasing proportion of the labour market. Recruiting from a diverse population brings into the workforce, new perspectives, experience, language skills, links with, and understanding of the countries of origin. These attributes are important for employers for competing in ethnically and culturally diverse markets in Europe and globally.

Recommendations to employers and further recommendations to governments

Apply equal employment opportunities policies, which include:

- adopting codes of anti-discrimination practice;
- adopting equal opportunities policy statements and circulating them to all employees;
- ensuring that there is tangible support and the involvement of senior managers;
- ensuring that recruitment promotion and dismissal policies are non-discriminatory;
- monitoring and evaluating the effectiveness of the equal opportunities policy;
- encouraging immigrants and ethnic minorities to apply for positions in the firm;
- training managers in non-discriminatory and inter-cultural management practices, to help change attitudes and behaviour;

- recognising the benefits of a diverse workforce and the inter-cultural and bilingual competencies of people of immigrant origin, and from the ethnic minorities;
- communicating the reasons for adopting changes throughout the organisation.³³

Take positive action with to promote effective equality of opportunity for immigrants/ethnic minorities, with people from these groups as active participants in identifying needs and implementing solutions. This might include:

- positive encouragement to enter higher levels of employment;
- up-dating skills and increasing communications or language proficiency;
- management development³⁴.

The public service has a particular responsibility to take the lead and set an example in their own employment practices, and in encouraging immigrants/ethnic minorities to set up business.³⁵ This includes the following measures:

- encouraging and supporting business development by entrepreneurs of immigrant and ethnic minority origin,
- providing access to finance, business advice, training in business skills and knowledge of regulations,
- reviewing regulations to ensure that immigrants have the same opportunities as others to set up and develop businesses.³⁶

Part 3: Why further measures are needed in ethnically diverse areas

Economic restructuring has disproportionately hit ethnic minorities, who tended to be concentrated in the sectors and jobs, which have been most severely affected. In all member states, immigrants and people from the ethnic minorities have high unemployment rates.

There is also evidence that discrimination continues to affect the second and subsequent generations. This increases the likelihood that ethnic minorities are excluded from access to higher levels in employment, and in decision-making positions. Legal and administrative action for securing equal access to employment needs to be reinforced and sustained with additional measures aimed at improving opportunities for progression to higher grade and status work.

Economic change has also affected sections of the majority population, and made it necessary to consider how integration and social inclusion and cohesion policies correlate.

Recommendations to governments

- Ensure that labour market policies include a specific strategy and programmes to promote equal employment, training and development opportunities for immigrants/people from the ethnic minorities.³⁷
- Work in partnership with other employment and training institutions to improve opportunities for disadvantaged ethnic minorities.
- Use the award of public grants and funds to encourage employers and other recipients to implement equal opportunities policies.³⁸
- Produce and develop materials and training resources for employers on how to provide equal opportunities in employment.³⁹

Recommendations to employers

- Work with other employers in the business sector, with the government and social partners, to promote understanding of the benefits of ethnic diversity; and encourage them to positive action.⁴⁰
- Use targets for the representation of immigrants/ethnic minorities in their workforce.⁴¹

Section 3: Housing

Part 1: Access to housing

Why housing is important

One of the necessities for new arrivals is access to housing. But immigrants are often over-represented in poorer quality housing, because of lower incomes or discrimination. This in turn leads to their being associated with social problems, and they may also be the victims of racial harassment.

Recommendations to governments

- Continue to ensure that there is adequate provision of low cost housing.
- Allocate public housing on objective, published criteria, based on need, including any particular needs of immigrant and ethnic minority women.
- Introduce systems to prevent racial harassment and to support victims, involving local authorities, landlords, police and other agencies. Take legal action against perpetrators.⁴²

Part 2: Further measures relevant to settled immigrants and ethnic and national minorities

When immigrants become settled, they ask for greater freedom of choice and access to higher quality housing. If there are obstacles in the housing market, further measures may be needed to ensure that immigrants and ethnic/national minorities have equal access to all sectors.

Recommendations to governments

- Encourage the development of housing associations and take measures to ensure that people on low incomes can buy into the owner-occupier sector.⁴³
- Rigorously enforce legal remedies against discrimination, and where they do not exist, governments are encouraged to legislate.⁴⁴
- Undertake research into discriminatory practices in private and public housing, and the type of action needed to put matters right.⁴⁵
- Enforced dispersal or segregation of immigrants and ethnic/national minorities is unacceptable. Ensure that housing policies; town planning and urban policies aim to give immigrants and ethnic minorities the same freedom of choice as the rest of the population, including opportunities to live away from areas of traditional minority group settlement.⁴⁶

Recommendations to private landlords and professional agents

- Negotiate codes of conduct to prevent discrimination by organisations in the private housing sector⁴⁷.

Part 3: Measures relevant to ethnically diverse areas

Where ethnic/national minorities have become concentrated in run-down areas, rehabilitation should ensure that housing and social provision meets their needs.

Recommendations to governments

- Carry out an audit before urban rehabilitation schemes are implemented, to assess the benefits and how immigrants and ethnic/national minorities will be affected.⁴⁸
- Ensure that immigrant and ethnic/national minority residents participate in planning and defining their needs in restructuring areas. Special efforts may be needed to ensure that particular groups such as immigrant women are involved.
- Planning and building authorities should seek to ensure that unemployed residents are employed on rehabilitation work.⁴⁹

Section 4: Health and other services

Part 1: Ensuring access to health services

A basic principle is that new immigrants, including the undocumented, have access to health services of the same quality as the population in general. This may indicate removing some formal barriers such as citizenship requirements. The service may also have to be adapted to ensure that it meets the needs of a particular immigrant or ethnic minority population.

Recommendations to governments

- Ensure that health services provide free adequate interpretation services for immigrant or national minority patients who have inadequate command of the majority language.
- Health authorities should audit the different needs of various ethnic groups and plan services in order to meet them and provide equal access.⁵⁰
- Provide information about services, on health care, family planning and maternity care in the main minority languages.⁵¹
- Train health service professionals, to raise their awareness of cultural and religious needs of immigrant and ethnic/national minority patients and in particular, those affecting women.⁵²
- Ensure that social services recruit and train their staff from among immigrant women.⁵³

Part 2: Other public services

Recommendations to governments

- Train public service officials to raise their awareness of cultural and religious needs of the immigrant and ethnic/national minority population, in cross cultural communications and in the avoidance of discrimination.
- Ensure governments and public authorities should ensure that the services provided are adapted to meet the needs of an ethnically diverse population, and that information is provided to all eligible groups so that they can have equal opportunities for access to the services.⁵⁴

Section 5: Religion, culture and language

Why measures are necessary

Although there are limited possibilities for public authorities to intervene in cultural and religious matters, measures that enable immigrants and minorities to maintain and develop their cultural and religious identity may be necessary, within the limits of the European Convention on Human Rights. Member States which have ratified the Framework Convention for the Protection of National Minorities also have specific responsibilities to recognise the rights of national minorities to manifest their religious belief and to use their minority language, including the use of it in official communications and in public signs where there are sufficient numbers and a demand for this.

Part 1: Equal opportunity in the religious domain

Governments need to consider at an early stage whether there are any obstacles to immigrants' and ethnic or national minorities' freedom of religion, either in the legal framework or in established majority practices.

Recommendations to governments

- Review and amend the legal framework, in order to ensure that immigrants/ ethnic and national minorities have freedom to manifest and practice their religion; and to accommodate the obligations of minority religions. This might include access to facilities such as places of worship, access to chaplaincies in hospitals and prisons, and burial facilities.⁵⁵
- Consider the need to adapt public facilities to enable people from minority faiths to meet their religious obligations; for example by meeting particular dietary and dress requirements, and food labelling.
- Ensure that there is equal access for religious communities to financial support, resources, and any tax concessions, for example for charitable work.⁵⁶
- Ensure that health and social services are sensitive to the specific requirements of religious communities, especially relating to women's needs.
- Encourage the religious communities to develop their own religious instruction and to inform their members about society's institutions and political processes.
- Encourage dialogue with religious communities at national and local levels, and encourage these communities to work with other interest groups with common concerns.⁵⁷

- Make efforts to inform the minority religious communities of their rights to religious freedom; of sources of funding; and include their representatives in all religious consultative bodies.
- Include information about religious facilities as part of general entry orientation.⁵⁸

Part 2: Culture and language

Recommendations to governments and arts and cultural bodies

- Encourage the development of ethnic minority arts, support the training of managers from voluntary cultural organisations, create opportunities for public displays, and promote local and national events celebrating diversity.⁵⁹
- Ensure that there is equal access for cultural communities to financial support, resources, and any tax concessions, for example for charitable organisations.⁶⁰
- Ensure that existing institutions and events are sensitive to the cultural diversity of communities and that members of these communities participate in framing policies and in provision.⁶¹
- Monitor cultural policies and ensure that exhibitions, festivals, theatre and all other forms of cultural expression by immigrants and ethnic minorities have sufficient support and funding.⁶²
- Consider how to make literature of different minorities available in libraries.⁶³

Part 3: Language

Multicultural societies may need additional policies to promote pluralism and a collective national identity. The Framework Convention for the Protection of National Minorities requires signatories to encourage a spirit of tolerance and to take measures to promote mutual understanding and respect among all cultural communities living in its territory.

Recommendations to governments

- Consider the importance of promoting multilingualism.
- Consider the need to preserve material on the heritage of cultural communities as an aid to understand diversity.
- Consider how national images, symbols and ceremonies can include and promote those representing diverse minority cultural communities.⁶⁴

Section 6: Education

Part 1: Adapting educational practices

Why adaptations are necessary

Equal opportunities in education are essential to prevent under-achievement, which can disadvantage immigrants and be passed to subsequent generations. Preventive action in the early years can be much more cost-effective than dealing with the social and economic costs of accumulated disadvantages which might arise in adult life.

Recommendations to education authorities

- Provide pre-school language training so that immigrant children are able to speak the language of instruction when they begin school. Take remedial action to reduce disadvantages, such as lack of fluency in the majority language, and poor motivation, at the earliest possible stage, in primary school.⁶⁵
- Out of school activities for primary and secondary pupils should be established to encourage immigrants to develop the skills and competencies required for educational success.⁶⁶

Part 2: Intercultural education

Why adaptations are necessary

Schools have an important function in building multicultural societies. This is partly because it is here that children develop social relations with others from their own and from immigrant and ethnic minority backgrounds. Additionally, educational content can reinforce directly, with civic education, and indirectly, in the approach to subjects such as history and geography, values such as tolerance and respect for individuals.

In addition, under the Framework Convention for the Protection of National Minorities, governments are required to take measures to foster knowledge of the culture, history, language and religion of national minorities. They are also required to try to ensure, where there are sufficient numbers and a demand, that there are adequate opportunities for being taught in minority languages, or for receiving instructions in this language.

Recommendations to education authorities

- Take account in education policies of the multicultural and diverse nature of European societies, in the contents of the curriculum, and become more intercultural, including the following:

- Promoting school activities designed to counter racism and intolerance, to include teaching in the principles of human rights.
- Promoting the ability among pupils to recognise prejudice and develop alternative patterns of classification and reasoning, to counteract racist attitudes.
- Revising texts and curricula, to reflect a broader intercultural approach.
- Including intercultural education in teacher training curricula.
- Including immigrants, national and ethnic minorities in school boards and governing bodies, and in formal and informal structures for deciding on curriculum development and teaching materials.⁶⁷

Part 3: Positive Action

Why positive action is needed

Positive action, aimed at meeting special needs, may be required, to improve immigrants' or ethnic minorities' educational chances, where there are signs of under-achievement. This may be because of insufficient language ability, the difficulties for newcomers in adapting to a new school system, interruptions in schooling for extended visits to the country of origin and or because of defects in the teaching or facilities themselves.

Recommendations to governments and education authorities

- Review the performance of different ethnic and national groups at key stages in compulsory education, and in access to higher education, in order to identify disparities in achievement. This will enable the authorities to take additional measures to improve opportunities for immigrants/ethnic and national minorities.⁶⁸
- Provide facilities for special adult education to enable immigrants and disadvantaged ethnic and national minorities to enhance basic education and to obtain educational qualifications.
- Encourage immigrants/ethnic and national minorities to become teachers.⁶⁹

Recommendations to education authorities

- Give special consideration to the teaching of history so as to give an intercultural view of European history, including the teaching of the history of minority communities as an integral part of the societies to which they belong.⁷⁰
- Encourage girls and young women immigrants and ethnic/national minorities to participate in the full range of school curricula, and in further and higher education.⁷¹

Section 7: The media

Why the media are important for integration

The development of a positive public climate is one of the foundations for a successful multi-ethnic society. Negative, derogatory newspaper or television reporting about immigrants can quickly undermine the effects of many positive efforts. Negative public attitudes towards immigrants and ethnic minorities are reinforced and legitimised by stereotyped images, by focusing on the problems of immigration and the undesirability of immigrants or on their cultural or religious differences. Ethnically and culturally diverse societies also have to consider whether immigrants and ethnic minorities have fair access to the media. Governments can stimulate and encourage a positive atmosphere, but they have only limited influence on the media, which also has to play its part.

Part 1: Balanced reporting and access

Recommendations to governments

- Ensure that the rights of immigrants and ethnic and national minorities to adequate information and the ability to express themselves in the media are explicitly authorised in public service media.⁷²
- Earmark funds for public sector media which offer opportunities to immigrant and ethnic/national minority journalists and programme makers, and to ethnic/national minority/immigrant-run media, and offer scholarships and grants to encourage immigrants and ethnic/national minorities to enter journalism.⁷³
- Support positive action by the media to improve the presentation of immigrants and portray their contribution to national life; and encourage dialogue to improve understanding of minority cultural and religious communities. Support media professional organisations, which are expressly committed to fighting intolerance.⁷⁴

Recommendations to the media

- Adopt codes of practice by professional journalists' bodies, covering content, terminology, fair presentation, and fair representation of immigrants/ethnic minorities in the profession. The aim of codes is to define standards, and discourage the use of racist, offensive, derogatory or belittling references to immigrants or ethnic minorities, or reporting which appears to reinforce negative views.⁷⁵

Part 2: Measures relevant to ethnically diverse areas

These further recommendations are relevant to ethnically diverse societies. The Framework Convention for the Protection of National Minorities also requires parties to it to ensure that national minorities have access to the media without discrimination.

Recommendations to governments

- Take advantage of opportunities offered by the media to promote good community relations, and promote cultural pluralism, and assist the production of broadcasting programmes on inter-community relations and immigration.⁷⁶
- Encourage the organisation of seminars and training courses for media professionals, on intercultural education, and the teaching in journalism schools, of ethics relating to intolerance.⁷⁷
- Ensure that public service broadcasting channels and official public relations services cater for all sectors of society, facilitate access to them by ethnic and national minorities, and provide unbiased information on subjects connected with migrants and ethnic minorities.⁷⁸
- Encourage the work of organisations, which make critical study of the media's handling of information.⁷⁹
- Evaluate the quality of media output on migrant and ethnic minority matters and award prizes to outstanding examples of media coverage of these⁸⁰.

Recommendations to the media

- Take measures to ensure that immigrants and ethnic/national minorities are represented on, and have access to, the governing bodies of the media.⁸¹
- Support and promote efforts to improve journalists training in professional techniques and ethics. Make sustained efforts to help ethnic/national minorities gain access to the media.⁸²
- Consider producing programmes of particular interest to, or with educational content for, immigrant women.⁸³

Section 8: Government functions

Why governments have a key role

Government's prime responsibility is to ensure that there is an effective and strong constitutional, legal and administrative structure. National, regional or local government also have the most significant role in encouraging a positive climate, and in ensuring that their legal obligations and integration policies are effectively implemented. This requires the allocation of adequate resources, administrative support, co-ordination, and monitoring and evaluation of action.

Governments can also make a difference by taking the lead in implementing equal opportunities policies in their own functions, as employers; in the enforcement of law and the administration of justice; and in the provision of services. Governments can ensure through appropriate training, that public officials are equipped to carry out their activities in a non-discriminatory way, and that they are sensitive to the needs of ethnically and culturally diverse populations. They can also ensure that mainstream policies are sensitive to the needs of immigrants and people from ethnic minorities.

Governments also have a central role in encouraging other national organisations to take positive steps. Regional and local authorities have the same role in their areas of responsibility. Governments can:

1. make a difference to the climate of public debate, by encouraging tolerance and by condemning racism and xenophobia;
2. make integration a priority in the allocation of funds and public grants;
3. facilitate and stimulate action by other organisations, for example by providing start-up funding, contributing to joint funding and working in partnership with others;
4. disseminate facts and information about good practice and positive outcomes of integration projects.

Many of the recommendations to governments are also relevant to their responsibilities under the Framework Convention for the Protection of National Minorities.

Part 1: Encouraging a positive climate

Why these measures are required

The creation of a tolerant public climate, which discourages racist and xenophobic behaviour towards immigrants, ethnic or national minorities, is a prerequisite for a healthy pluralist democracy. Dissemination of information to dispel myths about immigrants and minorities; an emphasis on tolerance, participation and partnership, helps influence public attitudes. These measures are needed at an early stage, to help develop public acceptance of the need for proactive policies, and to help restrict contrary developments which may be more likely in the absence of alternative arguments and information to counter them.

Recommendations and proposals to governments

- Take the lead in publicly condemning racist and xenophobic harassment and violence, and in helping to create a climate, which discourages racism and xenophobia. Continue or put into place, awareness campaigns against racism, xenophobia, anti-semitism and all religious and other forms of intolerance.⁸⁴
- Promote arrangements to prevent outbreaks of racial violence and for ensuring an effective response to incidents.⁸⁵
- Take initiatives with the media to promote tolerance and good community relations.⁸⁶
- At national and local/regional levels, work with local politicians, NGOs, groups and other agencies, in partnership with immigrants; to establish long term strategies to prevent racism and xenophobia.⁸⁷
- Set up formal and informal mechanisms for liaison between all agencies with a part to play in tackling racist and ethnic harassment and violence, to exchange information and co-ordinate initiatives.⁸⁸

Part 2: Implementing and administering legal provisions

Why these measures are required

Legal instruments against racial discrimination, harassment and racial violence will not in themselves change behaviour. They have to be supported with effective enforcement machinery, by education and the training of those responsible for enforcement, and by dissemination of information about legal rights and penalties for contravention.

It is also important that agencies responsible for administering the general civil and criminal laws are sensitive to ethnic and cultural diversity. If officials treat people with a lack of sensitivity or understanding, for example, of the psychological and physical stress of being racially harassed, this will deter

them from using their legal rights, and will dilute the effectiveness of legal measures.

Recommendations and proposals to governments

Governments should ensure effective and enforcement of laws against discrimination, incitement to hatred, and racist violence. These measures include:

- training the police to implement procedures for tackling racist harassment and violence;
 - ensuring that prosecuting and judicial authorities are fully aware of their powers and obligations for dealing with racism and discrimination;
 - setting up an appropriate specialised body/bodies or supervisory mechanisms to work towards the elimination of discrimination, and promote equality of opportunity; to assist complainants, enforce, monitor, set standards and review the implementation of anti-discrimination legislation.⁸⁹
 - organising information campaigns to inform people of the laws against discrimination and harassment, of the rights of, and support available to, victims; and the penalties for perpetrators.⁹⁰
- Train officials responsible for immigration control, issuing residence and work permits, and for the administration of civil and criminal laws in providing services to ethnically diverse populations, including sensitivity to cultural differences such as styles of communication.⁹¹
 - Monitor the way in which immigration control is exercised, to ensure that immigrants, refugees and asylum seekers receive fair, dignified and equal treatment, irrespective of their nationality and ethnic origin.⁹²
 - Adapt structures, to enable immigrants/ethnic minorities to participate in developing, planning, and implementing in policy on integration and promoting equal opportunities. This should include immigrant women, so that their particular needs are taken into account.⁹³
 - Consider awarding grants to immigrants' associations operating in social and welfare fields, and support organisations which combat racial discrimination, and defend human rights.⁹⁴
 - Undertake research, to evaluate the effectiveness of legal measures against racism and xenophobia, and discrimination; and to assess access to the labour market and to services; and the extent of disadvantage faced by immigrants, and on majority and minority attitudes. (See also Section 9).⁹⁵
 - Encourage the adoption of voluntary codes of non-discriminatory practice, in the public and private sectors. These apply to:
 - the professions, including politicians;

- public servants, including the police, officials and agents of the civil and criminal justice systems;
 - the media;
 - employers.⁹⁶
- Implement procedures in public agencies such as the Employment Services for questioning and challenging discriminatory practices carried out by other organisations with which they deal.⁹⁷

Part 3: Co-ordination and working with others

Why these measures are necessary

The creation of a positive climate, and effective laws against discrimination, racist and xenophobic harassment and violence, are two basic steps in building pluralist nations. Immigrants and ethnic or national minorities may also suffer from economic and social inequality. In these circumstances, more sustained and comprehensive measures will be needed to tackle the causes of inequality, involving both local and national organisations and different interest groups, creating a need for partnerships, collaboration and administrative co-ordination.

Recommendations to national and local government

Develop an integration strategy and implementation plan, with overall national responsibility for co-ordination and evaluation of integration programmes allocated to a minister, and local multi-agency forum to discuss and co-ordinate action. Take into account the specific needs of immigrant and ethnic minority women in these plans.⁹⁸

Apply exemplary equal opportunities policies in all local and national government departments. (See also Section 2: Employment for more details). These include:

- ensuring that positions in the public service jobs are open to settled immigrants;
- recruiting and promoting an equitable proportion of people of immigrant origin into the public service, and taking positive action to improve competencies where needed;
- training public service officials in inter-cultural management and in delivering services to a multi-ethnic community;
- ensuring that public bodies and decision-making boards include immigrants/ethnic minorities, and women from these groups.⁹⁹

Ensure that mainstream public funding has been earmarked for meeting special needs of immigrants and ethnic minorities in education and training, housing and social welfare.¹⁰⁰

Part 4: Measures for ethnically diverse or long-established immigrant populations

Why further measures are needed

Additional measures are required in member states with ethnic minority populations or long settled immigrants, who suffer from persistent discrimination and socio-economic disadvantage, to an extent that it is passed on to succeeding generations. There may also be entrenched long-term prejudice and discrimination against ethnic minority people.

Recommendations to governments

- Take into account the equal opportunities practices of contractors in determining whether to award a contract. ('Contract compliance'). Additionally, the conditions of the contract can include a requirement to meet ethnic minority communities' particular needs; or a requirement to recruit a fair proportion of ethnic minorities.¹⁰¹
- Aim to award a fair proportion of contracts and grants to ethnic and national minority businesses ('set asides').
- Set specific recruitment targets for all ministries.¹⁰²
- In developing social and economic policy proposals, assess their impact on immigrants/ethnic and national minorities.¹⁰³

Section 9: Monitoring and evaluation

Why monitoring and evaluation are necessary

The processes causing economic and social disadvantage of immigrants and ethnic minorities are complex and inter-related. It is therefore necessary to have good information about the relative position of immigrants and ethnic minorities in various fields, in order to determine the best focus of integration and community relations policies, and also to evaluate the effectiveness of measures taken. Without this data, governments cannot know whether their policies are producing the desired outcomes, and cannot know whether resources deployed on integration and community relations have been productive. Obtaining qualitative data may mean the collection of statistics on individuals, and in this case, safeguards to maintain anonymity are needed.

Monitoring and evaluation can be done using a variety of quantitative and qualitative instruments. Indicators can be developed:

- assessing the formal legal framework;
- assessing participation in areas of life such as employment, housing and so on;
- assessing visibility for example, in television broadcasting, in the police and judiciary, as members of local, regional and national assemblies and parliaments, local and national political parties and among political office holders. Finally, indicators can be developed for assessing the attitudes and experiences of immigrants and ethnic minorities, and also of the majority population. Structured dialogue with NGOs representing immigrants and ethnic minority communities can also provide information on the effectiveness of initiatives taken.

Another important vehicle for monitoring is through reporting on adherence to the norms of intentional instruments, and from analysis of discrimination cases.

Recommendations to governments

Legal measurement

- Obtain data on the extent of racial/ethnic discrimination, harassment and violence.
- Monitor the effectiveness on legal measures against discrimination, harassment and violence.

Evaluating equality of opportunity

- Collect data on the position of immigrants and ethnic minorities in the labour market and access to training and employment including the public sector, in housing, education, and service provision. This data should be used to monitor the impact of policies and as the basis for future policy development and implementation. (See also Section 2 on employment, which includes recommendations on monitoring at the level of organisations).

Attitudes

- Obtain data on attitudes and experiences of the majority and of the immigrant/ethnic minority populations, in order to evaluate the public climate and the perceptions of immigrants of integration.

General

- Ensure that immigrants and ethnic minorities participate in the evaluation of information on their integration.
- Develop a standard national form of categorisation, consult fully about it, and exchange data between agencies. Make efforts to develop common international indicators.

(References for Section 9: see note¹⁰⁴)

Notes

Security of Residence

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2. European Convention on the Legal Status of Migrant Workers: Article 12.
3. Protocol to the European Convention on Establishment: Article 10.
4. *a.* Community Relations Report: paragraph 105.
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23. Community Relations Report: paragraph 270.
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Employment

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- b.* Parliamentary Assembly Report on the situation of immigrant women (1995). Doc. 725.
27. As in 19 a) and b) above.
28. Report of the Joint Specialist Group on Migration, Cultural Diversity and Equality of Women and Men: Section IX ii.
29. *a.* Community Relations Report: paragraph 133.
- b.* Parliamentary Assembly Report on the situation of immigrant women (1995). Doc. 725.
- c.* European Commission against Racism and Intolerance. ECRI Guiding Principles: policies in specific areas: paragraph 26.
30. *a.* Community Relations Report: paragraph 133 and 270.
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33. *a.* Community Relations Report: paragraphs 140 and 270.
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b. European Commission against Racism and Intolerance. ECRI Guiding Principles: paragraph 31.

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48. *a.* Community Relations Report: paragraph 174.

b. Area based projects in districts of high immigrant concentration.

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b. Area based projects in districts of high immigrant concentration.

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Appendix

List of publications

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As a result of migration flows in recent decades and of still on-going migratory movements, substantial populations of different ethnic or religious origin have come to live permanently in most of the member states of the Council of Europe. Recognising that Europe has become an ethnically and culturally diverse continent, governments are induced to devise coherent policies aiming at the integration of immigrants and at improving community relations.

As an organisation devoted to the promotion of respect for human rights, dignity and social justice, the Council of Europe has long been concerned with the situation of regular immigrants in its member states. A series of recommendations containing policy guidelines have been adopted over the years by the Committee of Ministers and by the Parliamentary Assembly.

This publication brings together the proposals and recommendations in this area which have been made by various bodies within the Council of Europe. It maps out policy action needed in the three different stages of the integration process: measures needed in the context of new arrivals of immigrants, measures aimed at the promotion of equality of opportunities for long-term immigrants and measures needed in multicultural and ethnically diverse societies to ensure social cohesion.

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