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"I/A" ITEM NOTE

from: Presidency
to: Permanent Representatives Committee/Council and Representatives of the
Governments of the Member States
Subject: Conclusions of the Council and the Representatives of the Governments of the
Member States on integration policies in the European Union

Delegations will find below the above draft conclusions which reproduce the text of the Declaration approved by the Ministers at the European Ministerial Conference on Integration (Vichy, 3 and 4 November 2008).

The Permanent Representatives Committee is invited to approve these conclusions with a view to submission to the Council for approval as an "A" item at its meeting on 27 and 28 November 2008.

**Conclusions of the Council and the Representatives of the Governments of the Member States
on integration policies in the European Union**

Whereas the Hague Programme, adopted by the European Council on 4 and 5 November 2004, highlights the need for greater coordination of national integration policies and European Union initiatives in this field and states that any future initiative on the part of the European Union should fit into a framework founded on common basic principles as well as on clear objectives and evaluation tools;

Whereas, against that background, the first conference of ministers in charge of integration in the Member States of the European Union was organised on 9, 10 and 11 November 2004 in Groningen, under the Netherlands Presidency, and common basic principles on integration were adopted by the Council and the Representatives of the Governments of the Member States on 19 November 2004;

Whereas a Common Agenda for Integration establishing a working framework for the integration of third-country nationals in the European Union was submitted by the Commission on 1 September 2005;

Whereas a new phase was started with the Potsdam ministerial conference, organised under the German Presidency on 10 and 11 May 2007, which, in particular, fuelled discussion on intercultural dialogue and helped to prepare the conclusions of the Council and of the Representatives of the Governments of the Member States on 12 and 13 June 2007;

Whereas a financial instrument, the European Fund for Integration, was set up by a Council Decision of 25 June 2007 to help Member States to draw up and implement integration policies, in accordance with the common basic principles;

Whereas the French Presidency of the Council of the European Union has made immigration and integration issues one of its core priorities;

Whereas the adoption of the European Pact on Immigration and Asylum will help to make decisive progress towards a common immigration and asylum policy and it invites the Member States to establish ambitious policies for the promotion of the harmonious integration of migrants, with the help of Community support measures;

Whereas the aim of the Vichy ministerial conference on 3 and 4 November 2008 is to improve the convergence of the concepts and practices of Member States of the European Union in the continuation of the work already started at European level, in particular at the first two ministerial conferences and within the framework of the network of National Contact Points on Integration;

Whereas it is necessary to promote and explore the common basic principles in greater depth, around the following themes, among other important integration issues: promotion of the fundamental values of the European Union, the integration process, access to employment and the promotion of diversity in employment, the integration of women and the education of children, intercultural dialogue and principles of integration policy governance;

Whereas the first common basic principle states that "integration is a dynamic, two-way process of mutual accommodation" between immigrants and the host society, and that principle also highlights the proactive character of integration policies and generates rights and duties for the migrant as well as the need for a real effort on the part of the host society;

Considering the proposals made in the Commission's report of 8 October 2008 prepared for the Ministerial Conference on Integration and the conclusions of the Council and of the Representatives of the Governments of the Member States of 12 and 13 June 2007;

Whereas all the Member States of the European Union are now faced with the challenge of integration, even though, as recalled in the conclusions of 19 November 2004, the relevant policies aimed at legally residing third-country nationals may differ significantly from one Member State to another, depending in particular on their histories and administrative organisation, and concern distinct groups the composition of which may vary from one country to another;

Whereas integration policies are also part of the Global Approach to Migration, should be taken into account in other policies, in particular social and employment policies, and should be combined with policies to combat any forms of discrimination to which migrants may be exposed;

Whereas the success of these policies guarantees social cohesion and mutual enrichment for each Member State of the European Union;

The Member States agree to give particular attention to the following themes, among other important integration issues, when defining and implementing their national integration policies, in accordance with national specificities and rules:

1. Promotion of the European Union's fundamental values

The European Pact on Immigration and Asylum, adopted by the European Council on 15 and 16 October 2008, invites the Member States of the European Union, as part of the effort to establish ambitious integration policies, to “stress respect for the identities of the Member States and the European Union and for their fundamental values, such as human rights, freedom of opinion, democracy, tolerance, equality between men and women, and the compulsory schooling of children”. It also calls upon the Member States to take into account the need to combat any forms of discrimination to which migrants may be exposed.

The acts of racism and xenophobia should also be effectively fought against.

Finally, the importance of the values of freedom of expression and freedom of religion should be emphasised.

In compliance with the Charter of Fundamental Rights of the European Union, which defines the values shared by the Member States of the European Union, measures that help to promote and publicise them should be enhanced. Work will begin on developing an information material featuring content common to the Member States on European values, intended for use during the immigrant introductory phase under practical arrangements to be defined by each Member State, which could also include their own values.

2. The integration process

The introductory phase is a key step in the integration process from the moment of immigrants' arrival and even, in certain cases, before their departure from their country of origin. Priority measures that can be organised in this introductory phase primarily involve learning the language, history and institutions of the host society. Member States may introduce appropriate arrangements for the acquisition of elementary knowledge and skills conducive to the immigrant's proper social, economic and cultural integration.

Immigrants' access, according to the applicable legislation, to employment, housing, education and health and, more broadly, to all rights and public services, is, secondly, a major challenge for social cohesion. In this respect, access to housing poses a particular challenge. That access to rights and public services is facilitated within the framework of an integration process that must reflect the balance between migrants' rights and duties. In order to be successful, the integration process calls for a genuine effort on the part of the host society and the competent public authorities as well as the immigrants themselves, to foster in particular mutual respect.

In addition, greater knowledge of the educational organisation is of fundamental importance for immigrants who are also parents. To that end, information or training can be offered to parents in order to make them more familiar with the school world and curricula and thus allow them to follow their children's education more closely. Associations, including migrant associations, and civil society players have a major role to play in this back-up.

3. Access to employment and the promotion of diversity

By basing their action on the European employment strategy, the relevant community legislation and the renewed social agenda, Member States should facilitate immigrants' access to employment, on condition that rights regarding access to the labour market are provided in compliance with both Community and national legislation.

Individually tailored employment support measures and actions to promote diversity in the labour market, which require the involvement of employers and trade unions to be a success, can be developed. Vocational training actions also contribute to integration and can be part of a lifelong learning.

Access to employment is a decisive step in the integration process. The introductory phase for new arrivals is thus an ideal opportunity for measures designed to identify previously acquired vocational skills and experience and, above all, improve their recognition, and to guide immigrants towards employment-generating and high-growth sectors.

Incentive-based schemes for immigrants can help to facilitate their access to the labour market.

Schemes supporting business creation as well as individual monitoring programmes or mentoring actions initiated by businesses or civil society structures also favour the economic integration of immigrants.

Public authorities should also encourage employers to set up and use tools to promote equal opportunities and diversity at recruitment and throughout careers, and make the most of that approach. Tools such as the diversity charter or label, adopted by several Member States, are the result of a concerted effort between the State, local authorities, both sides of industry and the business community and show the commitment of employers to involvement in an anti-discrimination approach, whilst also making it possible to check the efficiency of the measures introduced.

4. The integration of women and the education of children

Women account for a significant proportion of new migrants in most Member States of the European Union. They play an essential role in the process of integration, in particular in that of their families and children, but are also exposed to a greater risk of social exclusion, discrimination and even violence; they must therefore be a priority target group for integration policies.

Accordingly, women must benefit systematically from all programmes designed to welcome migrants but also, according to their needs, from specific measures to promote their autonomy in society, their training and/or employment opportunities, knowledge of their rights in European societies – and in particular the general principle of equality between men and women –, and their participation in public life.

If these policies are to be effective, all immigrants must be made aware of them.

As regards policies for the promotion of women's rights, the discrimination and violence to which immigrant women may be subject run deeply counter to the values of the European Union and call for particular vigilance and specific measures. Situations such as polygamy, sexual mutilation, forced marriages and repudiation must be fought against and must be fought against through preventive and sanction actions.

In addition the education of immigrant children must be a priority from their arrival in the host country, through the development of educational measures adapted to their needs, as highlighted by the European Commission in the Green Paper "Migration and mobility: issues and opportunities for European educational systems" of 9 July 2008. Particular attention must be given to language support in order to make appropriate language learning possible and prevent the dangers of failure at school and inappropriate guidance.

5. Intercultural dialogue at the service of integration

Member States have decided to introduce the measures presented in the report drafted by Germany¹ in accordance with the conclusions of the Council and of the Representatives of the Governments of the Member States on 12 and 13 June 2007.

That report recommends first of all that a regular procedure be set up for exchanges of experience and best practices in intercultural dialogue, the importance of which on a more general level has been generally demonstrated in 2008, the European Year of Intercultural Dialogue.

This procedure will mainly be based on existing structures, in particular the network of National Contact Points on Integration which will devote a special meeting each year to intercultural dialogue.

In addition, special sub-meetings, bringing together interested Member States, will be organised regularly on specific themes, on the initiative of volunteer Member States which will also be responsible for reporting on them to the National Contact Points on Integration.

Moreover, to meet the request for a flexible procedure that makes it possible to react, on a voluntary basis, to intercultural challenges which could have a transnational dimension within the European Union, it is proposed that in such cases National Contact Points on Integration act as "first call contact points". Each contact point will inform Member States through this channel of any problems or concerns occurring in its country which could have repercussions in other Member States, indicate the measures taken and specify the name of the relevant authority. The contact points will thus, whenever needed, make possible effective communication between the relevant authorities in the different Member States concerned.

The aforementioned special meetings will also provide an appropriate framework for the prevention of intercultural challenges and responses to them in a long-term perspective by analysing and evaluating the situations that have occurred.

¹ 14391/08 MIGR 89 SOC 605.

6. Integration policy governance

With due regard for the competences and internal organisation of each Member State, integration policy governance requires the development of organisations and tools for dialogue and for exchanges of best practices, at both European level and within each Member State. In this perspective, it should be borne in mind that the network of National Contact Points on Integration plays an essential role. Within the framework of this network, works in sub-groups could be initiated by especially interested Member States, to hold discussions on particular topics connected with integration.

Further to the communication on the Common Agenda for Integration, the Commission has set up a website on integration which will act as a common platform for exchange on integration and has planned a European Integration Forum so that civil society players, in particular associations, can contribute to the enrichment of integration policies.

Integration policies should also be underpinned, in each Member State, by an overall strategy encompassing the various public policies involved.

Integration policies must also aim to provide a more satisfactory link between the level of policy design and evaluation and the sub-State level of local authorities, such as towns, which play an essential role in building the local community ties that make better involvement of migrants in local life possible.

Lastly, evaluation of integration policies must be a priority at European level. It must be the subject of regular exchanges on both method and results and lead to the identification of indicators. The Commission is invited to make any appropriate proposal on the matter, also in conjunction with the follow-up measures for the European Pact on Immigration and Asylum.

7. Commitments made and follow-up to the Vichy ministerial conference

(a) On the basis of the principles stated in this declaration, the Member States of the European Union, with due regard for their specific characteristics and competences and taking into particular consideration the lessons, in terms of benefits and shortcomings, learnt from action to date, agree to promote the following measures, with a view to the next ministerial conference:

- information to newly arrived immigrants, in accordance with arrangements to be defined by each Member State, concerning the European Union's values, taking the European Union Charter of Fundamental Rights as reference, as well as each Member State's own values;
- publicisation of the European Commission's website on integration;
- support, in accordance with the Member States' own rules, of the main steps and dimensions of the integration process of migrants they take in, paying particular attention to actions to be conducted in favour of young migrants;
- the further promotion and enhancement of the roles and tasks of associations, in particular migrant associations, and civil society, as well as migrants themselves, in the migrant integration process;
- the development of tools to facilitate migrants' access to employment, in accordance with each Member State's rules in that field;
- the introduction or development of mechanisms to encourage due consideration for diversity at work and combat discrimination;
- enhanced information, prevention and, if necessary, law enforcement measures concerning acts of discrimination or violence which could be committed against immigrant women.

- support for Germany's initiative to organise a conference on integration policy evaluation and formal identification of indicators in 2009.

Existing Community funds, and in particular the European Fund for Integration, will be drawn upon to finance these measures, in accordance with their operating rules.

(b) The National Contact Points, with the support of the European Commission, are for their part invited to give priority to the following tasks:

- the development of an information material featuring content on European values which is common to the Member States, for use during the immigrant introductory phase under practical arrangements to be defined by each Member State;
- the development of European modules which, in the light of experience acquired at national level and following the drafting of the Handbook on Integration conceived by the Commission, can be used as a reference for induction and language sessions, involvement of the host society, participation of immigrants in local life and various other aspects of the integration process;
- the continuation of work on the general public's perception of migrants and legal immigration;
- the identification of relevant reference indicators which could be used for the evaluation of the results of integration policies.

(c) The Commission is invited to draw up a report on the implementation of these measures and the progress made by the network of National Contact Points with a view to the next ministerial conference on integration, to be organised by Spain in 2010.

Intercultural Dialogue as an Instrument to Foster Integration
Report to the Ministerial Conference on Integration
3/4 November 2008, Vichy

I. The tasks assigned in Council conclusion 10 dated 12/13 June 2007

At the meeting of EU Integration Ministers in Potsdam on 10 and 11 May 2007 during Germany's EU Presidency it became clear that throughout Europe Member States are faced with similar intercultural challenges. Migration flows have significantly increased population diversity and in more and more Member States, people of different origin, culture and religion live closely together.

Often, a peaceful and cohesive coexistence works out well. Sometimes however, this increased diversity creates intercultural challenges and poses difficulties for social cohesion. In some cases, a growing social and emotional isolation of immigrants and their descendants can be noted which tends to evoke segregation or even the development of so-called parallel societies. In this context, intercultural dialogue (ICD) has become an important tool to achieve the peaceful coexistence of people of different origins and more cohesive societies in Europe.

As the questions we need to respond to and the difficulties to face are similar in many countries throughout Europe and challenges arising in one Member State could easily and quickly affect others, it is indispensable to share our ideas on intercultural dialogue as an instrument to foster integration among the Member States and to start learning from our neighbours' experiences.

Following the consultations of the EU Integration Ministers, the Justice and Home Affairs (JHA) Council therefore underlined the conclusions of Potsdam and decided on 12 and 13 June 2007 to intensify cooperation in the field of intercultural dialogue as an instrument to foster integration. The Council furthermore agreed that experts should regularly share their experience in the future taking account of developments in the context of the 2008 European Year of Intercultural Dialogue.

In fact, two tasks derive from conclusion 10 of the conclusions adopted at the Justice and Home Affairs Council of 12/13 June 2007:

1. To begin a regular exchange among Member States on their experience in the field of intercultural dialogue as an instrument for fostering the successful integration of citizens of different origin, culture and religion in Europe;
2. To prepare, in consultation with the NCPI, a report to the ministers including proposals for the establishment of a flexible procedure capable of reacting to intercultural problems or conflicts with a potential cross-border dimension.

During the JHA Council meeting in June 2007 Germany declared that it would be willing to host two preliminary expert meetings before the Ministerial Conference on Integration during the French Presidency in November 2008. These meetings were held on 3/4 December 2007 in Nuremberg and on 24/25 April 2008 in Berlin. Furthermore, Germany circulated a questionnaire via the National Contact Points on Integration in order to provide an overview of the national approaches to intercultural dialogue as a means to foster integration as a basis for organizing further cooperation and exchange among the Member States.

II. Main results of the questionnaire on intercultural dialogue as an instrument to foster integration in the Member States

In January 2008, Germany circulated a questionnaire to the Member States in order to gather information on how national governments across Europe address ICD as an instrument to foster integration, be it as part of an integrated policy approach or in different sector-specific policy fields. This questionnaire on the national approaches brought the following main results:

- Intercultural dialogue is not a specific legal category that is regulated by international, European or national law in the strict sense. Nor have Member States adopted a uniform approach to the use of intercultural dialogue.

- However, the vast majority of the Member States that replied to the questionnaire acknowledges intercultural dialogue as a means to achieve integration of citizens of different origin, culture and religion and as an instrument to achieve a more cohesive society. Some Member States, as for example Germany with its German Conference on Islam and the National Integration Plan based on intercultural dialogue, have established intercultural dialogue platforms at national level.
- At national level, different and often several ministries and public authorities are involved. Actions taken in the field of intercultural dialogue are various; projects in the context of intercultural dialogue as an instrument to foster integration often deal with items such as common related values, the creation of a common identity, the promotion of civic participation through the acquisition of the main national language etc.
- Intercultural challenges can occur both locally and nationally and thus need to be addressed at both levels using appropriate dialogue platforms.
- However, local authorities often have primary responsibility for dealing with the intercultural challenges. On the local level, many local councils have passed agreements on integration, which also deal with intercultural dialogue. However, local stakeholders sometimes do not have sufficient experience, expertise or resources to settle the intercultural challenge quickly without further support and to ensure the prevention of similar situations in the future. Therefore, they need support from a higher level, i.e. the national level. Such support frameworks should be established in all Member States which recognise a special need for it. The establishment of such national frameworks and dialogue platforms is an ongoing process in a number of Member States.
- At the same time, Member States obviously need to share their experience on how they establish such frameworks and support local authorities/stakeholders, which platforms exist, which players are involved, which strategies to prevent intercultural challenges are used etc. In this respect, the task assigned by the Ministers in conclusion 10 is reinforced.

III. Recommendations for a regular exchange on ICD as an instrument to foster integration among the Member States and for a flexible procedure capable of reacting to intercultural problems or conflicts with a potential cross-border dimension

1. Regular exchange of experience among the Member States

As regards the first task assigned by the JHA Council in conclusion 10 dated 12/13 June 2007, the Member States agreed that the regular exchange of experience should basically build on existing structures. An existing structure that can be used is the network of the National Contact Points on Integration (NCPIs).

Therefore, the Member States also agreed that, in future, one NCPI meeting per year should be fully dedicated to intercultural dialogue and that, in between these NCPI meetings, at least two further (sub)meetings should take place with all interested Member States to discuss related issues.

These “sub-meetings” will take place under the lead of individual Member States which organize and host these meetings, propose an agenda, write the minutes and prepare reports for the NCPIs. Participating Member States will be responsible for their own travel and accommodation expenses. The Commission will keep the calendar of meetings via the NCPIs.

For the time being, due mostly to time constraints, the financing available under the European Integration Fund will not be used to support this exercise but in the future this option could be further explored.

As these sub-meetings represent a form of intergovernmental cooperation, Member States can focus on integration matters in a broader sense. In this context, Member States are aware that it is important to avoid overlaps with projects of other (EU-) bodies/institutions and thus duplication of efforts.

An initial evaluation of this structure for the exchange of experience should be carried out after one year following the informal meeting of integration ministers under the French presidency. This evaluation should in particular outline the conclusions drawn by participating Member States from the exchange of experience and what kind of measures originated in the exchange they initiated.

2. Flexible procedure capable of reacting to intercultural problems or conflicts of Member States with a potential cross-border dimension

Member States are of the opinion that it will be useful to establish what might be called “first call-contact points” in the Member States as part of the procedure to be set up. Having these first call points will help avoid questions of competence in the case of intercultural challenges with potential implications for other Member States, which might be difficult to resolve for someone (from another Member State) who does not always know the right addressee in the Member State concerned. The NCPIs should act as these “first call- contact points”, passing the information on to the competent bodies in the Member States, as appropriate.

If an intercultural challenge with potential implications for other Member States occurs, the NCPI in the Member States concerned will analyse the situation and decide whether to circulate information to other Member States via the NCPI network together with any actions taken, highlighting the government department taking the lead in the Member State concerned. Receiving NCPIs will also analyse the information provided and decide whether to forward it within their Member States to senior officials or ministers.

Furthermore, the “sub- meetings” mentioned ad 1. will be assigned an additional task and should form the procedural framework to prevent and, if need be, to respond to intercultural challenges in a long-term perspective. The “sub-group” will consider at greater length the implications of the event and devise strategies for preventing or dealing with similar incidents in the future (best-practice guidance).

Thus, a major added value of this kind of “first-response network” formed by the NCPIs and the subgroups will consist in providing quick links to the competent authorities in the Member States concerned and -in a long-term perspective- good practice guidance, both in order to support Member States in dealing with intercultural challenges and to facilitate, if necessary and desired, a common reaction of several Member States.

As a matter of fact, the process of sharing experience as well as the flexible procedure of responding to transnational intercultural challenges with potential implications for other EU Member States are conducted by each Member State on a voluntary basis.
