



2nd meeting of the EUROPEAN MIGRATION FORUM

A long term approach to sustainable labour migration and successful integration – the voice of civil society

Brussels, EESC building, rue Belliard 99-101
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STEERING PAPER

1. The context

While the ongoing refugee crisis has compelled the EU institutions to place particular emphasis on short-term operational responses to the immediate challenges, it is important not to neglect the need to work on migration from a more comprehensive, long-term perspective, as underlined in the [European Agenda on Migration](#). This year's Forum aims to look at the challenges and opportunities of migration in the medium and long term, and not just through the lens of the emergency response to the current crisis. A "new policy on legal migration" is one of the four pillars on which the European Agenda on Migration is based. The Commission has already announced that in 2016 it will propose a review of the Blue Card Directive. It also plans to step up its support for Member States' efforts to integrate third country nationals. But the broader discussion on legal migration, particularly labour migration - at all skills levels - will also continue, in order to ensure its effective management and the fair treatment of all migrants.

The second meeting of the European Migration Forum¹, jointly organised by the Commission and the European Economic and Social Committee, will look at the need for a *long term approach to sustainable labour migration and successful integration*. The broad topic of the Forum, as well as the four sub-topics that will be discussed in the workshops (described more in detail below) were decided in consultation with civil society organisations, which were invited to submit written input and express their views at a meeting held in September 2015. The overall aim of the Forum is to ensure that exchanges with civil society provide concrete input into current EU policy-making in the area of migration.

On all these key issues, it is crucial for the Commission and all European institutions to listen carefully to civil society's discussions and ideas, which will feed into the forthcoming initiatives and future EU policy-making on labour migration and integration.

¹ The first meeting took place on 26-27 January 2015.

2. The workshops

The first day of the Forum will be in the form of workshops built up around the following four sub-topics:

Workshop A: Low- and medium-skilled migration: specific challenges in this sector, particularly for domestic and care workers

While a review of the Blue Card Directive is essential for creating a flexible scheme allowing the EU to attract more highly skilled workers, the issue of the migration of medium- and low-skilled workers is also relevant in the context of an ageing European population and labour shortages at all skills level. Discussions should also take into account low- and medium-skilled migrants who are already in the EU and the associated challenges, particularly in terms of their working conditions and rights, sometimes leading to situations of labour exploitation (*see Workshop B below*). Some of the challenges related to low-skilled work were already tackled in the [Seasonal Workers Directive 2014/36/EU](#), which will be implemented by Member States by 30 September 2016. In addition, the [Single Permit Directive 2011/98/EU](#) provides for a single procedure (and a single permit), as well as a set of rights for third-country nationals admitted for work purposes or authorised to work. Further reflection is needed on whether further action at EU level is required to regulate the admission and rights of other groups of medium- and low- skilled workers. In that respect, one of the categories deserving specific attention includes domestic and care workers, who provide significant contributions to our society and economies and whose working situation often lacks legal protection and regulation².

Workshop B: Undeclared work and labour exploitation of migrants

Lower- and medium- skilled workers are also more at risk from labour exploitation. The Fundamental Rights Agency recently published a [study on severe labour exploitation](#) providing numerous recommendations and also [practical guidelines on the fundamental rights considerations of apprehending migrants in an irregular situation](#). Migrants are also a high-risk group for trafficking in human beings for the purpose of labour exploitation, which involves exploiting people on the labour market to supply unpaid or very low-paid work while keeping them in conditions which are not in keeping with human dignity. The Commission is monitoring implementation of the [Anti-trafficking Directive 2011/36/EU](#) which obliges Member States to ensure the early identification and protection of victims of trafficking, as well as to adopt prevention measures, and to prosecute traffickers. There is a need to address the specific challenges related to the identification and protection of migrant victims of trafficking for the purpose of labour exploitation, including their right to be granted a residence permit in accordance with [Directive 2004/81/EC](#). There is also a need for establishing better conceptual clarity when exploitative situations amount to trafficking, so as to ensure the adequate protection level required by EU law.

² See ENoMW Statement for International Domestic Workers' Day 2014: http://picum.org/picum.org/uploads/file_/ENoMW%20International%20Domestic%20Workers%20Day%20statement%202014_1.pdf

In May the Commission will launch a European Platform to enhance cooperation in tackling undeclared work. The Platform will help national authorities to exchange information, especially in cross-border situations, and improve cooperation throughout the Union, including that for tackling abuse of mobile workers and migrants. As the Platform's first work programme will be determined only later this year, suggestions for thematic priorities and action can still be made.

Finally, the [Employers Sanction Directive 2009/52/EC](#) aims to prevent the employment of irregular third-country nationals. The Commission is working to strengthen enforcement of the Directive, notably by stepping up workplace inspections. On this issue, the input of employers, trade unions and NGOs would be particularly welcome. More needs to be done to address the situation and prevent exploitation and undeclared work, for example by making migrants more aware of their rights and obligations.

Workshop C: Access to the labour market and integration of third-country nationals, including asylum seekers and refugees

The EU is also facing the challenge of effectively integrating all those who are in the EU, including the very high number of people that have arrived over the past couple of years seeking protection. In 2015 alone, 1.3 million asylum applications were lodged in the EU. With a recognition rate of around 50%, it is estimated that a very significant number of current asylum seekers are going to stay in the EU and will have to be integrated into the labour market. This high influx over a short period of time is creating an unprecedented integration challenge for Member States.

The integration of refugees presents specific challenges due to their vulnerability, possible cultural and language barriers, stigmatisation, lack of documentation, including as regards qualifications and skills, periods of inactivity prior to and during the asylum procedure (which can be very lengthy), etc. Experience confirms that refugees' integration into the labour market is slower and more difficult compared to that of other categories of migrant. It is therefore clear that pro-active measures are needed to support the labour market integration of refugees.

At present, only a few EU Member States have significant experience in integrating refugees. Nevertheless, there are numerous good practices and measures that have been developed in many Member States, as well as in non-EU countries. There is therefore a need to map out, disseminate and exchange such practices, especially in the field of skills assessment, job counselling/placement, vocational training, recognition of qualifications, mentoring, etc. In addition, it is important also to consider the impact of measures which may not be labour market-related but still constitute pre-conditions for accessing the labour market: language training, cultural orientation, affordable housing, adequate healthcare, measures to establish welcome communities etc.

Finally, this workshop will also discuss the challenges and good practices relating to the labour market integration of other migrants who have not come to the EU in need of protection (nor for labour purposes) and for whom action is also required to ensure swift,

effective labour market access. As regards migrants arriving for the purposes of family reunification, for example, available data shows that their situation on the labour market is also less favourable than that of EU nationals. The reasons for this can sometimes be very similar to those underlying the challenges faced by refugees: discrimination; lack of mechanisms for the recognition of qualifications; lack of language knowledge etc. The workshop will therefore address both issues.

Workshop D: The role of the local level in the effective integration of third-country nationals, including asylum seekers and refugees

Integration occurs mostly and firstly at local level. It is in our cities and neighbourhoods that migrants start building their new lives in the EU. In the context of the current crisis, local authorities have been faced with enormous challenges in terms of welcoming asylum seekers and refugees and providing services from housing to schools and health care. Integration on the labour market and employment policies also involves the local authorities in many Member States, which are therefore also faced with challenges as regards recognition/validation of qualifications.

The integration of third-country nationals requires comprehensive policies involving different stakeholders. More than ever, "multilevel governance" makes sense when it comes to promoting integration. Local level bodies should be empowered to provide meaningful, efficient answers to the integration challenges. In this workshop, the following questions could be raised: what role should local authorities have in integration policies? How can they be supported in their efforts? What concrete answers have been provided by local authorities in this regard? What are good examples of integration thanks to effective mobilisation of local authorities and effective partnership with other levels of governance?

All Forum discussions will feed into the preparation of the forthcoming initiatives by the European Commission. Workshops C and D in particular will provide an important contribution to the preparation of the new EU Action Plan on Integration of Third-Country Nationals, which will be adopted later in the year. The outcome of the Forum discussion will be published online and shared with relevant stakeholders.

3. The participatory approach

This year's Forum will be built up around a fully participatory approach. It will give the opportunity to all participants to engage in interactive discussions throughout the meeting, to propose specific issues for debate, and to exchange views with policy-makers at the end.

During the first day, the four above-mentioned thematic workshops will be held in parallel. Within those workshops, participants will be asked to actively engage in small groups and exchange views on challenges, solutions and good practice. The results of the small groups' discussions in the four workshops will be collated, and the work of the first day will be summarised by four rapporteurs.

On the second day, there will be two rounds of "*The floor is yours!*". This session will allow participants to propose topics for discussion and host conversation tables on these issues. The session will build on the outcomes of day 1, but will allow participants to go deeper into the analysis of certain issues, or bring up elements that have not yet been fully explored. The outcome of all the discussions will be reported back to the plenary. They will be further discussed during the high level debate at the end of the second day.

The meeting will be managed by a group of professionals skilled in steering such discussions – more details regarding the methodology and way of working will be provided at the beginning of the meeting.



Language arrangements:

In the opening and reporting sessions there will be simultaneous interpretation from and into EN/FR.

In the workshops and "The floor is yours!" sessions there will be *chuchotage* (whispered interpreting) from EN into FR/ES available for those who requested it in advance.

In the panel debate of day 2 there will be simultaneous interpreting from EN/FR/ES/IT into EN/FR.