



European Network Against Racism  
Réseau européen contre le racisme  
Europäisches Netz gegen Rassismus

# Future “EU2020” Strategy

Preliminary comments of the European Network Against Racism  
on the Commission Working Document: Consultation on the  
future “EU2020” Strategy

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The European Network against Racism (ENAR) is a network of some 600 NGOs working to combat racism in all EU Member States. ENAR is determined to fight racism, racial discrimination, xenophobia and related intolerance, to promote equality of treatment between EU citizens and third country nationals, and to link local/regional/national and European initiatives.

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## 1. Introduction

ENAR welcomes this opportunity to contribute to the debate on the shape of the future EU strategy. This consultation and the dialogue that will take place between now and the adoption of the new strategy at the beginning of 2010 is an important opportunity to reshape the way in which the European Union approaches the exercise of its competencies and re-focus work where it is most needed. Dialogue with civil society must be a core mechanism of developing the future strategy and a core feature of the strategy itself.

However, ENAR fears that **the very short timeframe for the consultation and adoption of the new strategy will not allow for a genuine dialogue to take place between the different stakeholders.** While the Commission's own guidelines for consulting civil society recommend a consultation period of minimum eight weeks, several EC officials declared publicly that for a consultation issued on 24<sup>th</sup> November 2009, contributions will have a chance to be taken into account only if they are submitted before 15<sup>th</sup> December 2009. ENAR therefore calls on the Commission to delay the adoption of its Communication to ensure real consultation of stakeholders, and on the Member States to postpone the adoption of the EU 2020 strategy to the 2<sup>nd</sup> semester of 2010 under the Belgian Presidency and to allow for a real democratic debate on the future of Europe.

In this paper we first comment on the general vision and on the priority areas for the future strategy, and then go on to expand in more detail, with concrete recommendations for specific areas of work. These priorities are drawn from a wide range of debates within the ENAR network and are based upon the evidence that we have gathered over the past 10 years of working together against racism. Where the priorities are drawn from specific policy papers or publications, these are referenced and attached in the Annex to this submission.

## 2. General comments on the outlined new strategy for EU 2020

### 2.1 A lack of long-term political and social vision for the EU

#### a. The EU should take the opportunity to ensure a long-term political vision for Europe

The current proposal for the new EU 2020 strategy confirms that the European Union once more falls short of outlining a political vision for Europe. The working paper focuses on growth and economic

results, thereby **failing to give the EU a real political dimension and limiting its identity to an economic consortium**. The approach is purely economic in almost all fields, including migration. ENAR calls on the European Commission to propose an ambitious EU strategy to the Member States, with a clear long-term political vision for the EU that would pave the way to building a strong political entity capable of responding to the challenges that Europe will face at the horizon 2020.

**b. The EU should not miss the opportunity to ensure a long-term social vision for Europe**

**Social inclusion should be a much stronger dimension of the new EU strategy.** The current proposal solely focuses on skills and jobs, failing to present a comprehensive and sustainable strategy to reduce inequalities and social exclusion.

ENAR welcomed the 'social package' presented by the Commission on 2 July 2008<sup>1</sup> and believes that it makes important steps to live up to the fundamental social values and objectives of Europe, however we have major concerns regarding the 'renewed Social Agenda' lacking vision and long-term commitment on a sustainable and social Europe.

The EU 2020 strategy presents a key opportunity to ensure that **the current piecemeal approach is replaced by a strong long-term social vision able to address current social realities with close cooperation of civil society**. Social and sustainable development, fundamental rights and equality should be essential pillars of the new strategy. Legislation, policy strategies and instruments proposed in the framework of the EU 2020 strategy will only be successful if they are coherent with these societal realities - growing inequalities, structural discrimination, erosion of fundamental social rights - and recognise the general trend across Europe which sees the need for interventions to enable those most disadvantaged to escape poverty and social exclusion. **ENAR strongly believes that a new social vision of how best to advance the well-being of all in our diverse societies must take account of the needs and experiences of communities across Europe that are vulnerable to racism and discrimination.**

ENAR hopes that the European Commission will ensure that the reflection on the establishment of targets and indicators continues and addresses the impediments that hinder the well-being of ethnic and religious minorities including migrants within the EU.

## **2.2 A lack of emphasis on the human dimension and fundamental rights**

Despite announcing an agenda that puts people first, this proposed strategy **fails to focus on the human dimension, and develops a utilitarian approach** to inclusive societies, focusing solely on growth, skills and jobs. While gender equality is mentioned once in the document, other core values of the EU emphasised in Mr Barroso's political guidelines such as diversity, non-discrimination, equal opportunities and equal treatment of minorities do not figure in this proposal, nor does the broader fundamental rights agenda. This omission all the more blatant following the recent entry into force of the Lisbon Treaty, which is very clear on the values and objectives that are said to characterise and underpin the framework of the Union. The Treaty refers to "universal values of the inviolable and inalienable rights of the human person, freedom, democracy, equality and the rule of law" and to the "rights of each individuals", and gives a legal status to the EU Charter of Fundamental Rights.

Missing the rights dimension in the new EU strategy is also incoherent with the recent nomination of a Commissioner responsible for fundamental rights, which had suggested a renewed emphasis on

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<sup>1</sup> See <http://ec.europa.eu/social/main.jsp?catId=547&langId=en>

the issue in the future. Moreover, the proposal does not focus enough on social cohesion, and does not consider the impact of this lack of focus on human beings.

**A lack of focus on anti-discrimination in the EU strategy presents a real danger for social inclusion and equality policies in many European countries.** A lack of understanding and implementation of the EU's anti-discrimination legislation continues to be observed, particularly in some Eastern European countries. In recent years much progress has been made towards implementation of a comprehensive legislative framework. The Race Equality and Employment Equality Directives have had a significant impact on the European anti-discrimination landscape. Nonetheless, the quality of transposition and implementation remains problematic in most Member States. The procedures launched by the European Commission for failure to adequately transpose these Directives are an illustration of this situation. There is also a lack of understanding of anti-discrimination in the field of social inclusion. While the EU guidelines are implemented in the framework of the Social OMC, the need for equality policies is not always fully understood and much progress remains to be made for ensuring the mainstreaming of anti-discrimination in all relevant policies. Removing the focus on anti-discrimination and other related policies consequently increases the risk that they will be dropped off a number of Member States' agendas, which will understand such a move as a decreasing concern for equality for all in the Union.

**At a time of growing influence of the far right, xenophobia, and nationalism in Europe, racism and related discrimination and intolerance are the most important hurdles on the road to equality and social cohesion.** ENAR urges the European Commission to prioritise a Europe free from discrimination in the EU 2020 strategy.

**ENAR calls the European Commission and Member States to adopt a new strategy for the EU 2020 based on fundamental rights, with a strong social pillar that places the human being, equality, anti-discrimination, and social cohesion at its heart.**

### 3. Specific comments on the broad priorities outlined by the Commission

#### 3.1 Priority 1: creating value by basing growth on knowledge

While ENAR does not share the purely utilitarian approach that values a knowledge society only as an engine to growth, we very much **welcome the focus of the working paper on strengthening education**. A quality and inclusive education is crucial for the future of Europe, and the social elevator role of education should be re-created and prioritised. ENAR therefore **welcomes the recognition of the need for a greater emphasis on vulnerable groups** in the Commission's proposal. Making schools and training facilities more accessible to ethnic & religious minorities including migrants is fundamental in that respect, from pre-schools to vocational training ranging through higher education and university. Non-formal education and skills acquired in the work place should be better valued, to take account of the knowledge of all. The recently adopted Council conclusions on the education of children with a migrant background<sup>2</sup> are a step in the right direction, but the agreed principles need to be extended to vocational training and higher education, and also to other vulnerable groups such as the Roma and other ethnic & religious minorities. In order to achieve the objective of a European Knowledge Area, ENAR believes that the waste of knowledge resulting from continuing problems in the recognition of qualifications should be efficiently addressed. Therefore, ENAR calls on the EU institutions to **promote and adopt a transparent mechanism for the assessment, certification and recognition of skills, including prior learning and previous experience**,

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<sup>2</sup> Council of the European Union, Council conclusions on the education of children with a migrant background, 26 November 2009.

**irrespective of the countries where they were acquired and whether they were acquired formally or informally.**

Furthermore, ENAR calls on the European Commission and EU institutions to **ensure in particular that the creation of a genuine European Knowledge Area does not generate discrimination and exclusion.** The EU 2020 strategy must find ways to ensure that a harmonised knowledge society at the European level does not translate into fragmented educational systems at national level. This could generate further inequalities by implying differing levels of funding for the various educational systems but also in terms of access to those systems: ethnic & religious minorities, for various reasons, might be led to only have access to lower quality educational systems, impeding on their chances to access high quality jobs in the future. The implementation of agreed common EU educational standards must therefore be strictly controlled.

In order to **drive and support the elimination of racial discrimination, promote inclusion and diversity in education and training systems, and enhance the educational attainment of ethnic minority and migrant pupils across Europe,** ENAR proposes the following four key principles which should underpin all actions:

1. Education is central in addressing the challenge of social cohesion and promoting solidarity and non-discrimination in a more diverse Europe.
2. Education and training systems must instill values of respect, diversity and challenge prejudice. The systems themselves must be free of discrimination at all levels.
3. Education and training systems must ensure access to quality education for all that adequately addresses underachievement and educational disadvantage.
4. Better partnership must be promoted between formal and non-formal education and training systems and civil society<sup>3</sup>.

### **3.2 Priority 2: empowering people in inclusive societies**

In addition to the lack of a comprehensive social strategy with an approach focusing almost exclusively on skills and jobs, ENAR is **concerned with the utilitarian approach to migration** spelled out in the Commission's working paper. **The lack of recognition and value placed on migrants' contribution to other spheres than economy such as Europe's society and culture** is also a key feature of the paper. This is a reason for concern for both 'highly skilled' migrants and those defined as 'unskilled'. The utilitarian approach recognises the economic necessity of migration, but lacks recognition of the broader contribution of migrants to European society. This approach which treats migrants as economic units and not as human beings is not consistent with European values of respect of human dignity, equality and fundamental rights.<sup>4</sup>

The consequences of this approach have been summed up by the UNESCO report on Europe and the International Convention on the Rights of Migrant Workers:

*“When such understandings of the role and function of rights are allowed to dominate, it is easy to see how the entitlements guaranteed by international human rights instruments come to be truncated, or, in the case of irregular migrants, almost entirely neglected. There is no guarantee that the logic of economics and that of human rights will lead to exactly the same protections and to*

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<sup>3</sup> ENAR General Policy Paper n. 5, Fighting Racism and Promoting Equal Rights in Education and Training, November 2008.

<sup>4</sup> ENARgy, EU migration policy: Is it fair? August 2008, Issue 25.

*exactly the same degree; indeed, where one is systematically subordinated to the other, such convergence seems unlikely.*"<sup>5</sup>

Furthermore, successful integration measures are a crucial element of any immigration strategy. A purely economic approach risks adversely affecting the success of integration and social inclusion policies aimed at migrants, including 'legally resident' third country nationals and ethnic & religious minorities who are EU citizens. A successful integration policy is essential and needs to be supported by the establishment of a secure legal position of the migrant, **with a leveled up common set of rights for all migrants across Europe – irrespective of their skills**, as well as the further development of common frameworks to support integration to meet current and future challenges in this field.<sup>6</sup>

**Monitoring the situation of migrants and ethnic & religious minorities is one of the most effective ways for ensuring that the EU 2020 strategy improves the socio-economic life of migrants and ethnic & religious minorities**<sup>7</sup>. ENAR calls on the EU institutions to ensure better monitoring in the framework of the EU strategy, which should be accompanied by the setting of ambitious targets in the field of social inclusion and employment at the EU and national level.

**Advocating for a human rights-based approach to migration is a duty in the context of the protection of fundamental rights, and a strategic priority in the eradication of all forms of racism.** ENAR urges the European Commission to promote the following five key principles in its Communication on the EU 2020 strategy:

1. A positive political discourse to migration must be promoted, in which diversity is an asset for our common future.
2. Anti-discrimination legislation must protect everyone living and working in the EU.
3. Effective policy making must be ensured at all levels. Policy and decision makers must adopt a holistic and coherent approach to other relevant policy areas for successful integration and migration strategies.
4. The EU must be an inclusive participatory democracy taking into account all people who are living in its territory, and should develop ways for everyone to fully participate.
5. The international dimension of migration and asylum policies must be recognised.<sup>8</sup>

## 4. Concrete suggestions and recommendations for policy actions and monitoring that should be defined to implement the new strategy

### 4.1 Priority 1: creating value by basing growth on knowledge

EU and national policy actions to achieve the objective of creating a European knowledge area with inclusive education systems should respect the principles of **policy coherence and anti-discrimination**. Only a coherent, horizontal approach that addresses all related legal, social, cultural

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<sup>5</sup> 'The Migrant Workers Convention in Europe: Obstacles to the Ratification of the International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families: EU/EEA Perspectives', Euan MacDonald, Ryszard Cholewinski, UNESCO Migration Studies 1, <http://unesdoc.unesco.org/images/0015/001525/152537E.pdf>.

<sup>6</sup> ENARgy, EU migration policy: Is it fair? August 2008, Issue 25.

<sup>7</sup> The social and employment dimensions of the EU's Lisbon strategy for growth and jobs, What are the opportunities for monitoring and improving the situation of migrants and ethnic minorities?, ENAR, December 2009.

<sup>8</sup> ENAR General Policy Paper n. 6, Migration and Diversity: A Rights-Based Approach to Migration, December 2009.

and economic impediments to access to education and good educational performance will be successful in the long term<sup>9</sup>.

ENAR calls on the European Institutions **to set ambitious objectives and targets towards achieving equality in education**. In addition, ENAR recommends in particular the following actions:

**a. Create a balanced mix of legislative and policy instruments**

ENAR recommends that Directive 77/486/EEC should be amended so that it applies to the children of third country nationals and that it includes an anti-discrimination clause. The provisions of the Directive should include the encouragement of positive action measures and a broad range of curriculum initiatives. The specific educational needs and issues of ethnic & religious minorities and migrants should also be mainstreamed into current and future Open Methods of Coordination through the **development of targets and indicators disaggregated by ethnic origin and migrant status**.

- Define a European strategy to improve retention and attainment of ethnic & religious minorities in upper secondary, as well as their representation in higher education and training and lifelong learning
- Encourage Member States to report on how they are responding to increasing diversity within their education systems
- Ensure sound coordination mechanisms of review of those targets in line with the employment guidelines and the social inclusion strategy

**b. Take actions to adjust European education and training systems to the increasing diversity in European schools**

Examples of relevant policy actions include:

- Take measures to train teachers, including making further opportunities and funding for training available in the areas of race equality and intercultural education.
- Create a physical environment that visually reflects and validates multiculturalism and religious diversity through cultural and professional diversity among staff.
- Incorporate a broad range of curriculum initiatives starting in pre-school education - these could include second and native language programmes, citizenship and human rights education, intercultural educational activities, conflict resolution, intercultural arts projects.
- Develop EU standards and targets for a speedy and efficient assessment of foreign credentials.

**c. Prevent segregation, ensure equal opportunities and avoid discrimination**

- Implement the Race Equality Directive in the field of education by adopting national legislation and policies to address all forms of direct and indirect discrimination.<sup>10</sup>
- Develop and implement positive action to promote equality and tackle discrimination in education, including desegregation measures.
- Establish instruments that incorporate ethnic monitoring at all levels.

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<sup>9</sup> ENAR comments on the Green Paper 'Migration & mobility: challenges and opportunities for EU education systems', December 2008.

<sup>10</sup> See Case D.H. and others vs. The Czech Republic, in which the European Court of Human Rights held the Czech Republic in violation of Article 14 of the Convention for the Protection of Human Rights and Fundamental Freedoms.  
<http://cmiskp.echr.coe.int/tkp197/viewhbkm.asp?skin=hudoc-en&action=html&table=F69A27FD8FB86142BF01C1166DEA398649&key=66048&highlight>

- Inform national policies to address underachievement and educational disadvantage by research studies and consultation exercises.<sup>11</sup>
- Expand the scope of mobility programmes in order to ensure mobility opportunities for pupils, students, young people in vocational training, volunteers, entrepreneurs or trainees – including migrants.

#### 4.2 Priority 2: empowering people in inclusive societies

In order to achieve the objective of empowering people in inclusive societies, the EU and its Member States will have to **ensure that the objectives of inclusion of ethnic & religious minorities including migrants and non-discrimination are mainstreamed in all relevant EU policies, including in health, housing, and education**. Reducing inequalities and preventing social exclusion will require inter alia strengthening minimum income schemes and social protection systems for all.

**Monitoring the situation of migrants and ethnic & religious minorities<sup>12</sup> is one of the most effective ways for ensuring that the EU 2020 strategy improves the socio-economic life of migrants and ethnic & religious minorities<sup>13</sup>**. ENAR suggests the following developments to ensure better monitoring in the framework of the EU strategy, which should be accompanied by the setting of ambitious targets in the field of social inclusion and employment at the EU and national level:

##### a. Key recommendations for the Overarching Strategy

With regard to the Strategy as a whole, there appears to be a disconnection between the economic pillar and the social pillar in their respective approaches to migrants and ethnic minorities. In the economic pillar the attention is on future labour migrants, who are presented as the panacea to labour market shortages and skills gaps. Yet migrants and ethnic minorities residing in Member States are targeted in the context of them being a disadvantaged group with little or no recognition given to their skills, attributes and aspirations. In addition, there also appears to be a disconnection between the Integrated Guidelines, which refer to migrants and ethnic minorities, and the development of structural indicators and targets to implement these. None of the structural indicators used for monitoring the implementation of the Lisbon strategy capture the situation of migrants and ethnic & religious minorities.

- Relevant headline indicators, such as the employment rate, educational attainment and the at-risk-of-poverty rate should be disaggregated at least on migration-related grounds.
- Social policies and outcomes should be benchmarked against countries with high levels of equality and social cohesion rather than ‘the world’s greatest economies’.
- The LIME Assessment Framework should be used as a tool for assessing the economic impact of migration and integration. The information it provides has the potential to put migration and integration firmly on national and EU agendas as it demonstrates the importance of

<sup>11</sup> ENAR comments on the Green Paper ‘Migration & mobility: challenges and opportunities for EU education systems’, December 2008.

<sup>12</sup> The UK example suggests that it is both possible and useful to collect information on religion. However, ENAR is aware that the reaction to religious questions in other Member States is likely to be significantly more cautious and perhaps even hostile. Any decision to collect data on a specific ethnic, racial or religious minority community should be taken with caution. The relevant community would need to support such efforts and care would need to be taken to prevent information which demonstrates disadvantage (poverty, unemployment, poor health) becoming ammunition for right wing parties.

<sup>13</sup> The social and employment dimensions of the EU’s Lisbon strategy for growth and jobs, What are the opportunities for monitoring and improving the situation of migrants and ethnic minorities?, ENAR, December 2009.

sound migration policies and the need for comprehensive efforts to increase labour market and educational outcomes for migrants.

**b. Data options for monitoring the socio-economic situation of migrants and ethnic & religious minorities**

The lack of data being collected directly about migrants and ethnic & religious minorities makes monitoring their socio-economic situation difficult. This is an issue that needs to be addressed at the EU level.

- The 2008 Labour Force Survey ad hoc module should be used to the fullest extent to examine the socio-economic outcomes of migrants and their descendants. Member States should also be encouraged to retain the questions used in this ad hoc module in their annual surveys.
- In monitoring the implementation of Lisbon, the annual Labour Force Survey and the EU-SILC should be used to examine the situation of newcomers, long-term residents, migrants who have naturalised and the children of migrants. The idea of using country of birth as a proxy for examining ethnic, racial and religious background should also be explored further.
- Member States that collect similar national data on migrants and ethnic & religious minorities (for example on the Roma, Muslims...) should be encouraged to share information in an effort to engage in mutual learning and identify best practice.

**c. European Employment Strategy (EES)**

The Integrated Guidelines for Growth and Jobs are the single most important instrument in influencing policy developments in Member States. There also appears to be a high correlation between the priorities and work of Member States and EES targets and the 'European Benchmarks' in education and training. However, with the exception of a few Member States, indicators appear to have little or no impact on priority setting or monitoring.

- Relevant targets and indicators, including those measuring progress against the European Benchmarks 2020, should be disaggregated on migration-related grounds and data that is already available, including from the LFS ad hoc module and the LIME Analytical Framework, should be used.
- Insight into the specific barriers migrants and ethnic & religious minorities face and strategies to overcome them should be offered in the EU integrated guidelines on employment.
- A strategy to prevent labour market segmentation for ethnic & religious minorities should be integrated in the EU employment guidelines (currently migrants and ethnic & religious minorities are not specifically targeted).
- Quality of work (including living wages, working conditions, job security, employment protection and reconciliation between private and professional life) should be prioritised as a core element of job creation, in line with guideline 17 and the principles on flexicurity.
- Monitoring of the progression and well being of ethnic & religious minorities and vulnerable groups in the workplace should be included in the EU employment guidelines.
- The issue of ethnic entrepreneurship, undocumented migrants in the informal economy, and the need to reduce early school leaving should be included in the revised Integrated Guidelines, as a review of the current National Reform Programmes indicates they are clearly important issues at the national level.
- Member States should collect data for monitoring the situation of migrants and ethnic & religious minorities. If this information is not being collected or reported by national governments, a national or EU shadow report should be produced in its absence.

#### **d. Social Inclusion and Social Protection Strategy (Social OMC)**

The Commission has made significant efforts to encourage Member States to address migrants and ethnic minorities as a matter of urgency in the Social OMC. However, while some Member States take a comprehensive approach to the various dimensions of social inclusion (participation in the labour market and access to housing but also in social, cultural and political life) and focus on involving both immigrants and the host society, the non-prioritisation of the issue and absence of details in most National Action Plans on Social Inclusion comes across as a potentially serious omission.

- Member States should reflect on the fact that the social integration of migrants needs to be given more attention in selecting key objectives.
- Member States should include migrants and ethnic & religious minorities in National Action Plans on Social Inclusion as a specific target group. This can include an explicit reminder of the Commission's strong views on the prioritisation of migrants and ethnic & religious minorities in National Action Plans.
- If Member States agree to proposals to introduce target-setting into the Social OMC, they should ensure that targets are disaggregated, where possible, to examine the situation of migrants and ethnic & religious minorities.
- The Social OMC should give consideration to a number of data sources that have been identified in this publication that can provide a better understanding of the situation of migrants and ethnic & religious minorities, and which provide the potential for a wider range of indicators that can be disaggregated on migration-related grounds, or which directly capture migration-related dimensions.

#### **ANNEXES:**

1. The social and employment dimensions of the EU's Lisbon strategy for growth and jobs, What are the opportunities for monitoring and improving the situation of migrants and ethnic minorities?, ENAR, December 2009.
2. ENAR General Policy Paper n. 6, Migration and Diversity: A Rights-Based Approach to Migration, December 2009.
3. ENAR General Policy Paper n. 5, Fighting Racism and Promoting Equal Rights in Education and Training, November 2008.
4. ENAR comments on the Green Paper 'Migration & mobility: challenges and opportunities for EU education systems', December 2008.