



## **Comments of the European Network against Racism (ENAR)**

### **GREEN PAPER**

### **Migration & Mobility: challenges and opportunities for EU education systems**

**(December 2008)**

*The European Network against Racism (ENAR) is a network of some 600 European NGOs working to combat racism in all EU Member States. Its establishment was a major outcome of the 1997 European Year against Racism. ENAR is determined to fight racism, xenophobia, anti-Semitism and Islamophobia, to promote equality of treatment between EU citizens and third country nationals, and to link local/regional/national initiatives with European initiatives. Further information is available at: [.enar-eu.org](http://.enar-eu.org)*

## INTRODUCTION

Education remains at the heart of promoting anti-racism in Europe today, both from the perspective of fostering intercultural societies, as well as in addressing the legacy of disadvantage experienced by migrants and ethnic and religious minorities in Europe. Despite an emerging competence in the field of education, to date the European Union has not driven change in the field of anti-racism and diversity education. For this reason ENAR particularly welcomes the Green Paper on migration and mobility and strives to support the European Commission in its efforts to recognise and appropriately address the crucial role that education must play in the future of diverse societies.

With a view to contribute to the emerging debate on the role that the European Union could play in this area, ENAR hereby submits its response to the Green Paper on migration and mobility, addressing the issues of raising the educational attainment of migrant and ethnic minority children in European schools and societies.

This submission consists of a main part and three annexes. The main part constitutes **ENAR's formal response to the Green Paper**, setting out key concerns and answering consultation questions.

The first annex is **ENAR's 5<sup>th</sup> General Policy Paper on Fighting Racism and Promoting Equal Rights in the field of Education and Training**, which sets out key principles and recommendations for the EU and for national educational policy makers on how to address and develop more progressive approach to education and training that is able to effectively combat discrimination and to endow children from an ethnic, religious minority or migrant background with the necessary skills and competences to fulfil their potential and to empower them to fully participate in today's societies.

The second annex is the **ENAR research report 'Fighting racism and promoting equal rights in the field of education'**, which offers an overview of the current situation of ethnic and religious minority groups in relation to education and of EU actions and progress in fighting racism and promoting equal rights in the field.

The third annex is the **2007 ENAR European Shadow Report**, which draws up key trends as regards migration and anti-discrimination policies and legislation in the Member States of the EU, and demonstrates manifestations of racism in key areas of life, including education, but also employment, housing, health status, access to goods and services that have an impact on migrant children's access to education and their educational performance.

## **MIGRANT AND ETHNIC MINORITY CHILDREN AT RISK**

ENAR national and European Shadow reports present a snapshot with regard to the state of racism in Europe and provide an annual update on the issues pertaining to racism and religious discrimination across Member States of the EU. Over the last seven years consequent annual Shadow Reports produced by ENAR members across Europe have drawn an alarming picture demonstrating that educational inequality and discrimination in education and training systems of the Member States of the EU continues and is widespread, with the educational attainment of migrants and ethnic and religious minorities lagging behind that of majority groups.<sup>1</sup>

Shadow reports also make references to reports of previous years and highlight persisting and emerging trends over the years. An emerging trend in 2007 has been the **identification of migrant and ethnic minority children as being increasingly vulnerable to racism and discrimination.**

The 2007 European Shadow Report states: *'Children from ethnic minority groups are also at risk and reports describe the vulnerable position certain groups of children find themselves in including undocumented children and children who have been trafficked. Although they may have equal rights to other children, internationally adopted children and children from intercultural families also experience racism and discrimination.'*<sup>2</sup>

## **KEY CONCERNS – LACK OF REFERENCE TO POLICY COHERENCE AND ANTI-DISCRIMINATION IN THE GREEN PAPER**

The ENAR Shadow Reports also draw attention to the **intersectionality of issues**, which is of particular relevance for any policy plan to be successful in a given area. Education policies for migrant children need to recognise that issues intersect and that **only a coherent, horizontal approach that addresses all related legal, social, cultural and economic impediments to access to education and good educational performance is able to be successful in the long term.** The 2007 ENAR European Shadow Report highlights this issue. It reports that in the area of goods and services the unequal treatment of migrant and ethnic minority children is emerging. In Greece, for example, delays and difficulties in getting birth certificates for the children of migrants are impacting on their access to other services including education.

Education is the structural means by which society can ensure its citizens and residents have equitable access to prosperity, participation in democratic decision making as well as promoting socio-cultural development. Policy coherence is therefore essential and the Green Paper should apply a broader approach that ensures that the role of education in promoting social inclusion is adequately addressed, and that **interrelated**

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<sup>1</sup> For the ENAR Shadow Reports see: [www.enar-eu.org/Page\\_Generale.asp?DocID=15294&la=1&langue=EN](http://www.enar-eu.org/Page_Generale.asp?DocID=15294&la=1&langue=EN).

<sup>2</sup> ENAR European Shadow Report 2007, pp. 8.

[http://cms.horus.be/files/99935/MediaArchive/pdf/Shadowreport2007\\_ENLowRes.pdf](http://cms.horus.be/files/99935/MediaArchive/pdf/Shadowreport2007_ENLowRes.pdf)

**issues are explored and coherence is established across policies, enhancing links with the social inclusion agenda and human rights framework of the EU and in relation to the Lisbon goals.**

In addition to the lack of a horizontal approach in the Green Paper that would acknowledge the intersectionality of issues and would place education policies in the wider social inclusion and human rights framework by establishing policy coherence across policy areas, ENAR's key concerns relate to the **absence of any reference to the experience of discrimination and the need to combat racial and religious discrimination in the framework of developing educational policies for migrant children.**

As highlighted by ENAR's General Policy Paper on education and training systems, low educational attainment and higher rates of early school leaving of ethnic minorities compared to majority populations result from a range and combination of factors, amongst which racial and religious discrimination is key, both in terms of access to education and as regards content of educational curriculum. Therefore ENAR urges the EU to **take up and adequately address the challenges of racial and religious discrimination in the Green Paper and in future educational strategies** on migrant and ethnic minority children by using its mandate under Articles 13, 149 and 150 of the Treaty of the European Union.

## **CONSULTATION QUESTIONS**

### **A. THE POLICY CHALLENGE**

*1. What are the important policy challenges related to the provision of good education to children from a migrant background? In addition to those identified in the Green Paper, are there others that should be taken into account?*

### **DISCRIMINATION**

ENAR urges the Green Paper **to address all forms of discrimination in education.** Despite considerable effort at EU, national and local levels, it is an unfortunate reality that discrimination in European educational systems continues to be widespread, leading to educational inequalities and considerable lower levels of educational attainment of migrants and minorities compared to the majority populations.

ENAR draws attention to a comparative study on education undertaken by the Fundamental Rights Agency (FRA)(former European Monitoring centre on Racism and Xenophobia) on 'Migrants, Minorities and Education'<sup>3</sup>, which analyses patterns and causal factors of inequality in education in the EU 15, including institutional discrimination and more direct forms of discrimination. The EUMC comparative study,

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<sup>3</sup> EUMC, Migrants, Minorities and Education, Vienna: EUMC, 2004, p. 3.

as well as ENAR Shadow Reports and Research paper on education point out, that when examining inequalities and discrimination in education, obstacles arise firstly with regard to *access* to education, both in terms of lack of rights and indirect barriers. Some members of migrants are not entitled to access education in some Member States, depending on their legal and residence status. Where migrants and ethnic minorities may be entitled to access education, discrimination in the allocation of places can arise as a result of both direct and indirect discrimination.

Direct indicators include racially motivated incidents by individuals and institutions, such as racist violence, verbal abuse or harassment due to ethnicity, culture or nationality. The EUMC comparative study mentioned above suggests that direct discrimination and acts of racism are less common in education than in employment and housing, and that it is easier to track discrimination in access and performance than disadvantage caused by more subtle discriminatory practices. Indirect forms of discrimination often contribute to the reproduction of inequalities in a more ‘unconscious’ way through processes. The Macpherson Report<sup>4</sup>, which preceded the UK’s Race Relations (Amendment) Act 2000 described this as ‘institutional racism’:

*‘The collective failure of an organisation to provide an appropriate and professional service to people because of their colour, culture, or ethnic origin. It can be seen or detected in processes, attitudes and behaviour which amount to discrimination through unwitting prejudice, ignorance, thoughtlessness and racist stereotyping which disadvantage minority ethnic people’.*<sup>5</sup>

According to the EUMC findings, the results of such ‘unwitting’ discrimination will most often be perceived through an absence of positive development in the educational performance of minority groups over a number of generations.<sup>6</sup> Indirect measurements which ‘allow a reasonable supposition to be made that members of a group are experiencing unequal treatment and inequalities based on their ethnicity, culture or nationality’ include high expulsion rates, attainment inequality, and over-representation in special education.<sup>7</sup> In most European countries there is an over-representation of ethnic minorities and foreign nationals in primary and secondary education special schooling, and an under-representation in higher education.<sup>8</sup>

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<sup>4</sup> The Macpherson report detailed the results of a government commissioned Inquiry into the racist murder of British teenager Stephen Lawrence in 1993. Its main focus was the response of the Metropolitan Police Service and the criminal justice system, but its findings and recommendations concerned the recognition and elimination of institutional racism in all public institutions. Three of its recommendations are specifically addressed to education providers.

<sup>5</sup> Macpherson, Sir W., *The Stephen Lawrence Inquiry*, London: UK Home Office, 1999.

<sup>6</sup> EUMC, Annual Report on the Situation regarding Racism and Xenophobia in the member states of the EU, Vienna: EUMC, 2006.

<sup>7</sup> *Idem* p. 75.

<sup>8</sup> *Idem* p. 75.

The reasons for the patterns of educational inequality are complex, but inadequate pedagogical approaches, ethnic discrimination in educational institutions and inequalities in society on a larger scale are widely believed to contribute to this situation. The following paragraphs highlight some of these factors.

### ***Xenophobia and racist bullying***

ENAR Shadow reports, as well as the EUMC comparative study draws attention to the experiences of migrant and minority children of harassment, xenophobia and prejudice from peers, including right-wing xenophobic incidences. Particular problems are faced by Roma, Muslims and Black children, but asylum seekers and refugees can also be subject of high level of racial harassment and bullying.

### ***Residency and legal status of migrants***

An important factor that impacts on access to education is the residency and legal status of migrants. The 2007 ENAR European Shadow report demonstrate that in many Member States, the right to education is linked to residency. While not necessarily required formally, it was found in Cyprus, for example, that in practice some schools insisted on seeing residence permits for pupils before allowing them to enrol in the school.

### ***Type and quality of education***

Differences have been identified between by ENAR members regarding the *type and quality of education* accessed by ethnic minorities and majority populations. Lack of provision of appropriate education that accommodates language, culture, religion or is intercultural is of grave concern. As highlighted by the Green Paper, language is a key factor in the area of education, manifesting itself in terms of fluency and literacy in the national language, national language requirements, tuition in minority language and language supports.

### ***Education curriculum***

*Education curriculum* that does not reflect diverse societies and contains only the version of history promoted by the majority population or references biased against some ethnic groups and promoting intolerance remains a serious concern. Limitations in the curriculum can contribute to low school attendance and achievement; lack of intercultural educational activities and programmes providing emotional support and emancipation can hinder in particular the ability of refugee children to integrate in a new educational environment.

### ***Problems with recognition of qualifications***

Many migrants meet major difficulties in accessing employment adequate for their qualifications. Not only are there still major obstacles to getting their qualifications validated, but they are often 'channeled' to lower status, unskilled and poorly paid jobs. Furthermore, problems with the recognition of qualifications of migrants hinder their ability to pursue further education and training. The 2007 ENAR European Shadow

report identified and emerging trend that deserves attention in light of the right to freedom of movement in the EU and intra-EU migration is equivalence and recognition of primary education in other Member States. This issue arose in Romania where Roma pupils were not allowed access to primary education as they had been educated within the primary education system in another Member State. It was argued that equivalence could not be ascertained.

### ***Role of religion and religious institutions in education***

Religion can also be part of the problem, as well as the *role of religion and religious institutions in education* that in many countries proved to be problematic.<sup>9</sup> Religion in the context of education is impacting indirectly on religious minorities and those of no religious affiliation. In some Member States churches play a very influential role which, in the absence of a clear framework addressing discrimination and promoting diversity in education, can impact on accommodating religious diversity in schools. In some cases instruction in the dominant faith is mandatory in state schools. In some instances accommodation is made for multi-faith education, respecting the identity of minority faiths, while in others minority faiths and those who observe them are seen as deviant and no accommodation or recognition is made.<sup>10</sup>

### ***Recognition of the intersectionality of the issues***

ENAR argues strongly, that **the Green Paper should tackle discrimination in other areas that have an impact on migrant and ethnic minority children's education.** ENAR Shadow Reports consequently demonstrated that racism is a phenomenon that continues to prevail in the area of employment; that ethnic and religious minorities are discriminated against in all areas of housing, with the result that they are more likely to be homeless, live in poor quality, to have limited choice with regard to their place and type of residence; that the health status of ethnic minorities and migrants is generally poor that of majority populations and called on policy makers at the national and European levels to address these issues in the framework of integration and social inclusion measures for migrants and ethnic minorities.

## **B. THE POLICY RESPONSE**

*2. What are the appropriate policy responses to these challenges? Are there other policies and approaches beyond those listed in the paper that should be taken into account?*

In order to drive and support the elimination of racial and religious discrimination, promote inclusion and diversity in education and training systems, and enhance the

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<sup>9</sup> Lynch, C.: 'Racism in Europe', ENAR Shadow Report 2006, p.13,  
[http://cms.horus.be/files/99935/MediaArchive/national/europe2006\\_EN.pdf](http://cms.horus.be/files/99935/MediaArchive/national/europe2006_EN.pdf)

<sup>10</sup> For cases and examples see the 2007 ENAR National Shadow reports: [www.enar-eu.org/Page\\_Generale.asp?DocID=15294&la=1&langue=EN](http://www.enar-eu.org/Page_Generale.asp?DocID=15294&la=1&langue=EN)

educational attainment of ethnic minority and migrant pupils across Europe, ENAR proposes four key principles which should underpin all policy actions and recommendations for developing policies:

**1. EDUCATION IS CENTRAL IN ADDRESSING THE CHALLENGE OF SOCIAL COHESION AND PROMOTING SOLIDARITY AND NON-DISCRIMINATION IN A MORE DIVERSE EUROPE.**

- ▶ Establishing a comprehensive legal protection against discrimination covering all grounds in all areas of life, including in education.
- ▶ Developing a framework of comprehensive education and training strategies that is underpinned by the international human rights framework and addresses the specific needs and barriers faced by ethnic and migrant communities.
- ▶ Promoting a common vision of education that begins at birth and that creates bridges between individuals from all segments in society, recognises and values diversity, solidarity and respect by creating an inclusive and welcoming teaching and learning environment.
- ▶ Ensuring each individual is enabled to develop his/her full potential and gain the skills and capacities that are likely to help her or him to progress in a knowledge-driven society and economy without regard to her or his legal status, socio-economic and socio-cultural background.
- ▶ Improving and strengthen the social dimension of education and training in the context of the Lisbon goals and in defining new policy objectives for the future framework for education and training.
- ▶ Ensuring that a good evidence base is based on relevant, reliable and up-to-date quantitative and qualitative data on the manifestations of discrimination and inequalities in education to inform policy strategies and objectives.
- ▶ Strengthening the use of structural and Community funds through the development of explicit race equality objectives and the adoption of clear criteria on equal opportunities and social inclusion in programme funding and evaluation criteria.

**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.**

- ▶ Ensuring that children, young people and learners from minority and majority populations are equipped and empowered to question and challenge prejudice, inequalities, to promote tolerance and respect for people of different faiths and a fair and just society through incorporating a broad range of curriculum initiatives starting at pre-school education. As an integral part of core competences these could include but should not be exclusively based on second and native language programmes, citizenship and human rights education, intercultural educational

activities aimed at facilitating intercultural understanding and dialogue, conflict resolution, intercultural arts projects and parental involvement.

- ▶ Building the resilience of children, young people and learners from ethnic minority and migrant backgrounds to better respond to racism and racist incidents and seek support when required through programmes that ensure emancipation and emotional development.
- ▶ Implementing the Race Equality Directive in the field of education by adopting national legislation and policies to address all forms of direct and indirect discrimination in access to education, including segregation in education.<sup>11</sup>
- ▶ Addressing race equality in education within a context and understanding of other diversity strands and inequalities, and the complexity of identity and that discrimination may be experienced on multiple grounds.
- ▶ Developing and implementing positive action to promote equality and tackle discrimination in education, including desegregation measures.
- ▶ Establishing instruments and mechanisms that incorporate ethnic monitoring at both, the national and Community level, as well as by educational institutions themselves.

### **3. EDUCATION AND TRAINING SYSTEMS MUST ENSURE ACCESS TO QUALITY EDUCATION FOR ALL THAT ADEQUATELY ADDRESSES UNDERACHIEVEMENT AND EDUCATIONAL DISADVANTAGE.**

- ▶ Ensuring that no child is denied access to education intentionally or unintentionally, on grounds of racial or ethnic origin, religion or belief, sexual orientation, disability, age, gender or other status, regardless of the method of delivery and organisation of the education system.
- ▶ Informing national policies to address underachievement and educational disadvantage by research studies and consultation exercises on:
  - the situation of school children from ethnic and religious minority groups in the school system by compiling statistics on their attendance, exclusion, behaviour, completion rates, results and progression.
  - educational practices such as curriculum reviews, teacher education, parental involvement, strengths and weaknesses of different models of integration and raising educational attainment, more effective language support strategies for host language acquisition and mother tongue provision, effectiveness of school measures to address discrimination and adapt educational

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<sup>11</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/viewhbk.m.asp?skin=hudoc-en&action=html&table=F69A27FD8FB86142BF01C1166DEA398649&key=66048&highlight>

environments to a multicultural context and most effective methods of intercultural and anti-discrimination education.

- ▶ The European Commission to monitor and publish analysis of such data on a regular basis, and utilise it to establish baselines and develop priorities and targets against which to measure progress.
- ▶ On the basis of that data carry out rigorous assessment of the impact of all school policies on school children from different ethnic and religious groups and migrant background.
- ▶ Putting in place race equality policies, action plans and procedures for dealing with discrimination in all school operations, including employment, admissions, curricula, assessment, racist bullying/harassment and parental involvement.
- ▶ Encouraging the use of positive action measures.
- ▶ Adequately addressing the needs of refugee children and particularly unaccompanied minor refugees traumatised by persecution, to integrate in their new educational environment.<sup>12</sup>
- ▶ Taking the necessary measures for the recognition of the educational, academic or professional qualifications of migrants in order to allow them to pursue further education or training.
- ▶ Creating a physical environment that visually reflects and validates multiculturalism and religious diversity through cultural and professional diversity in the education teams, recruitment of educational staff with an ethnic minority background and encouragement the participation of families and communities/cultural organisations.
- ▶ Identifying barriers to access to the teaching profession faced by ethnic minorities and implement targeted measures to engage and retain education professionals with an ethnic minority background.
- ▶ Taking the measures necessary for the training and further training of the teachers, including making further opportunities and funding for teacher training and adequate resources available at transnational and national levels in the areas of race equality and intercultural education.

#### **4. BETTER PARTNERSHIP MUST BE PROMOTED BETWEEN FORMAL AND NON-FORMAL EDUCATION AND TRAINING SYSTEMS AND CIVIL SOCIETY.**

- ▶ Actively involving children and young people and all learners in shaping a relevant teaching and learning programme that meets their needs.
- ▶ Establishing evaluation schemes by learners.
- ▶ Establishing a structured forum for dialogue that allows exchange between policy makers and civil society organisations in order to bridge the gap between policy directions and implementation on the ground. The development of a network of education professionals and policy makers should be promoted, with a good representation of ethnic minority educators and education focused NGOs.

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<sup>12</sup> In line with Article 22 of the Convention on the Rights of the Child (1990).

## **C. THE ROLE OF THE EUROPEAN UNION**

*3. What actions could be undertaken via European Programmes to impact positively on the education of children from a migrant background?*

### ***Common Basic Principles on Integration***

As regards programmes and actions of the European Commission referred to in the Green Paper, ENAR fully supports measures to put into practice the Common Basic Principles on Integration, together with a series of other EU mechanisms promoting the CBSs. The Common Basic Principles must remain the basis for the approach to integration and should be vigorously applied in all integration policy approaches along with the reception that **anti-discrimination is both a pre-requisite for, and modus operandi of, successful integration**. A detailed consideration must be given to these principles and policy coherence must be achieved between non-discrimination, social inclusion and integration strategies.

### ***Educational Programmes***

ENAR's research on the Educational Programmes has shown that a key problem with Comenius and other Socrates programmes highlighted by evaluations and consultation has been the lack of a formal practice sharing process to ensure dissemination and a longer term impact of the good practices initiated by programme funding. Information about project activities and lessons learned is also extremely difficult to access, and as the Commission only checks compliance with the principle of equal opportunities for men and women and for people with special needs, there is no data available on the participation of students and teachers/trainers from ethnic minority groups.

Furthermore, whilst there is acknowledgement that the processes and administration have become easier and more coherent in recent years, education advisors in some countries stressed that it is still difficult to get schools to participate, partly due to a lack of interest, and partly because the processes involved are felt to be too time consuming for already pressurised school staff. A recurring concern expressed by educators consulted is the lack of sustainability of the learning and exchange that takes place through these innovative and progressive projects. Few teachers or education managers consulted showed much awareness of EU policy and priorities beyond the existence of Comenius funding for school projects.

The programmes have undoubtedly assisted many individual teachers, as well as promoting some instances of strategic level interventions in education in the fight against racism and discrimination on the grounds of race. However, the failure to specify **clear race equality criteria, and to adequately fund, monitor, evaluate or disseminate** the learning from ad hoc projects and activities has so far ensured that their impact remains limited, short term and not embedded in mainstream educational policy and practice. This is a key issue that needs to be addressed in the operation of the new integrated programme to ensure equity in strategy implementation.

### ***Structural and Community funds***

As regards structural and Community funds, their use should be strengthened through the development of explicit race equality objectives, and the adoption of clear criteria on equal opportunities and social inclusion in programme funding and evaluation criteria:

- ▶ Calls for proposals should include incorporation of an equality dimension that covers all anti-discrimination strands as a pre requisite for the award of funding and contracts.
- ▶ In order to assess the impact and to ensure equity in the allocation of funds, the European Commission should monitor funding take-up by ethnicity, as well as the number and quality of projects funded to promote equality and the fight against racism.
- ▶ Guidance should be made available for member states on how to integrate equal opportunities and race equality in the implementation of different EU-financed programmes, in particular for the use of the Lifelong Learning Programme (LLP) funding.

### ***Thematic European Years***

In the areas of the thematic European Years, as one of the major outcomes of the *2007 European Year for Equal Opportunities for All*, the proposal for a **horizontal directive** implementing the principle of equal opportunity between persons irrespective of religion or belief, disability, age or sexual orientation **should be adopted without blanket exceptions in the area of education**.

The *2008 European Year on Intercultural Dialogue* has seen the establishment of the Rainbow Platform, a civil society platform for intercultural dialogue, which adopted the '**Rainbow Paper**'<sup>13</sup>, which key recommendations in the area of education and intercultural dialogue.

Finally, the *2010 European Year on Poverty and Social Exclusion* should address the **intersectionality between educational attainment and social exclusion of migrants and ethnic minorities**.

*4. How should these issues addressed within the Open Method of Coordination for Education and Training? Do you feel that there should be an exploration of possible indicators and/or benchmarks as a means to focus policy effort more strongly on closing the gaps in educational attainment?*

The specific educational needs and issues of ethnic minorities and migrants should be mainstreamed into current and future Open Methods of Coordination through the **development of targets and indicators disaggregated by ethnic origin and migrant**

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<sup>13</sup> For more information see: <http://civilsocietyplatform.eurocult.org/>

**status. Data disaggregated by ethnicity and legal status, comparable statistics should support the OMC on education.** Unless differentiated data on ethnic minority enrolment and educational achievement at all levels is incorporated into the mainstream frameworks for monitoring progress of the Education and Training 2010 work programme, the scale and nature of racial discrimination in education and training systems will remain hard to identify and address.

The Education and Training 2010 cluster on social inclusion should take on a leadership role in promoting more specific **dissemination of information, guidance and practices** to ensure that best practice lessons are embedded and integrated into the provisions of mainstream education provision and teacher training institutions in the Member States. It should also ensure the participation of civil society in its work.

#### **D. THE FUTURE OF THE DIRECTIVE 77/486/EEC**

*5. How can Directive 77/486/EEC, taking into account the history of its implementation and bearing in mind the changed nature of immigration flows since its adoption, play a role in supporting Member States' policies in these issues? Would you recommend that it be maintained as is stands, that it should be adapted or repealed? Would you propose alternative approaches to support Member States' policies on the issues it addresses?*

ENAR argues for a **balanced mix of legislative and policy instruments**. ENAR recommends that the 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 be revisited so as to include, in addition to language support, the **encouragement of positive action measures** and a **broad range of curriculum initiatives** starting at pre-school education that ensure that children from minority populations are equipped with the necessary skills that enables them to fulfill their potential and to empower them to fully participate in today's societies.

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