Parliamentary **Assembly**
Assemblée parlementaire

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COUNCIL OF EUROPE CONSEIL DE L'EUROPE

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Human rights and democratic concerns for the integration of migrants

Motion for a recommendation
presented by Mr Branger and others

This motion has not been discussed in the Assembly and commits only the members who have signed it

1. Member states are becoming increasingly aware that integration of migrants brings with it new challenges both from a human rights and democratic perspective. Migrants have rights and they also have responsibilities. This balancing act between rights and responsibilities is at the heart of integration, and without addressing both of these, integration can not be successful.

2. Nowhere is this issue clearer than in the debate surrounding citizenship. Citizenship may bring with it certain rights but it also brings with it certain responsibilities. Integration through communication in the language of the host society, is a major factor in integration. Is this however a right to learn the language of the host society or is it a responsibility? It is certainly both.

3. Integration has become a condition precedent for admission into a number of member states, and priority is being given to starting the process of integration as early as possible, including before entry into the country.

4. Once in the country specific integration programmes are often available and may also be compulsory with incentives offered or sanctions applied. These courses however vary considerably from one country to another in terms of their scope, duration and form.

5. It is now not unusual for countries to introduce history and citizenship tests, loyalty oaths and language proficiency tests all as part of the process of integration, reflecting a rights based and responsibility based approach.

6. The Netherlands, for example, has introduced, since 15 March 2006, an integration test for those seeking family reunification, requiring a certain level of knowledge of Dutch and also a knowledge of the values of Dutch society. Germany and Denmark are following suit with similar tests.

7. In Germany, Denmark and the Netherlands, introductory courses for new migrants have become obligatory, but this is not the case in countries such as Canada, the United States and Sweden. Different incentives and sanctions are applied from country to country. In France for example a permanent residence permit may only be granted if the person concerned has followed an integration course. In Germany and Denmark certain social benefits may be reduced as a sanction for not following an integration contract and in the Netherlands fines can be given.

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8. There are currently no clear guidelines to help member states in tackling integration through language and citizenship learning and no guidelines to ensure that the best balance can be maintaine between a rights based and responsibility based approach. State practices differ widely and there is no current system of analysing the policies adopted by member states. While some good practices are developing, not all may be worth replicating or entrenching. An analysis of the different policies adopted to-date in Europe is required and some essential questions need to be examined, including:

- Should integration courses (covering history, citizenship and languages) be voluntary on compulsory?

- Should they be before or after entry into the host country?

- Should they be free of charge, subsidised or paid for, or should there be financial incentives?

- How should the courses and any tests (especially the language courses and tests) be validated

- What incentives and sanctions can be reasonably applied?

9. In view of the above and given the importance of human rights and democratic responsibilities in the process of integration of migrants, through for example citizenship and language learning, the Parliamentary Assembly recommends that the Committee of Ministers invites member states to:

- facilitate informed and participative public discussion on the policy issues related to citizenship and language learning;

- share their survey data and experience of policies and practices concerning citizenship and language learning as a means of integrating migrants in Europe;

- proceed with the compilation of best practices with a view to drawing up guidelines for policies in this area;

- involve all concerned parties in discussions on the issue, including migrants and their representatives, central and local governmental representatives, teachers, language testers, etc.;

- take measures to ensure quality in language education and in assessment procedures where these exist, including training courses for all those responsible for providing language learning and for those responsible for assessment;

- carry out surveys on language needs and citizenship needs and guide policy making on these issues.

Signed [1]:

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1 SOC: Socialist Group
EPP/CD: Group of the European People's Party
ALDE: Alliance of Liberals and Democrats for Europe
EDG: European Democratic Group
UEL: Group of the Unified European Left
NR: not registered in a group