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# **DRAFT REPORT**

on refugees: social inclusion and integration into the labour market  
(2015/2321(INI))

Committee on Employment and Social Affairs

Rapporteur: Brando Benifei

**CONTENTS**

	<b>Page</b>
MOTION FOR A EUROPEAN PARLIAMENT RESOLUTION .....	3
EXPLANATORY STATEMENT.....	11

## MOTION FOR A EUROPEAN PARLIAMENT RESOLUTION

### on refugees: social inclusion and integration into the labour market (2015/2321(INI))

*The European Parliament,*

- having regard to the Charter of Fundamental Rights of the European Union,
- having regard to the European Convention for the Protection of Human Rights and Fundamental Freedoms,
- having regard to the Universal Declaration of Human Rights of 1948,
- having regard to the Geneva Convention of 1951 and the additional protocol thereto,
- having regard to its resolution of 29 April 2015 on the latest tragedies in the Mediterranean and EU migration and asylum policies<sup>1</sup>,
- having regard to its resolution of 10 September 2015 on migration and refugees in Europe<sup>2</sup>,
- having regard to the Commission Ten Point Action Plan on Migration, presented at the Joint Foreign and Home Affairs Council held in Luxembourg on 20 April 2015,
- having regard to the Commission communication entitled ‘A European Agenda on Migration’ (COM(2015)0240),
- having regard to the Commission proposal for a regulation of the European Parliament and of the Council establishing an EU common list of safe countries of origin for the purposes of Directive 2013/32/EU of the European Parliament and of the Council on common procedures for granting and withdrawing international protection, and amending Directive 2013/32/EU (COM(2015)0452),
- having regard to the Commission communication entitled ‘EU Action Plan on Return’ (COM(2015)0453),
- having regard to the Commission recommendation establishing a common ‘Return Handbook’ to be used by Member States’ competent authorities when carrying out return-related tasks (C(2015)6250),
- having regard to the Commission communication on public procurement rules in connection with the current asylum crisis (COM(2015)0454),
- having regard to the Commission communication on addressing the refugee crisis in Europe: the role of EU external action (JOIN(2015)0040),

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<sup>1</sup> Texts adopted, P8\_TA(2015)0176.

<sup>2</sup> Texts adopted, P8\_TA(2015)0317.

- having regard to the Commission Decision on the establishment of a European Union Emergency Trust Fund for stability and addressing root causes of irregular migration and displaced persons in Africa (C(2015)7293),
- having regard to the Commission communication on managing the refugee crisis: immediate operational, budgetary and legal measures under the European Agenda on Migration (COM(2015)0490),
- having regard to the Commission communication to the European Parliament, the Council, the European Economic and Social Committee, and the Committee of Regions on the European Agenda for the Integration of Third-Country Nationals,
- having regard to the Commission communication on managing the refugee crisis: state of play of the implementation of the priority actions under the European Agenda on Migration (COM(2015)0510),
- having regard to the conclusions adopted by the European Council at its meeting in June 2014, at its special meeting of 23 April 2015, at its meeting of 25 and 26 June 2015, at the informal meeting of EU heads of state or government on migration of 23 September 2015, at its meeting of 15 October 2015, and at its meetings of 17 and 18 December 2015, and of 18 and 19 February 2016,
- having regard to the conclusions adopted by the Council on safe countries of origin at its meeting of 20 July 2015, on migration at its meeting of 20 July 2015, on the future of the return policy at its meeting of 8 October 2015, on migration at its meeting of 12 October 2015, on measures to handle the refugee and migration crisis at its meeting on 9 November 2015, and on statelessness at its meeting of 4 December 2015,
- having regard to the conclusions adopted by the Representatives of the Governments of the Member States meeting within the Council on resettling through multilateral and national schemes 20 000 persons in clear need of international protection at their meeting on 20 July 2015,
- having regard to the EU-Turkey Joint Action Plan of 15 October 2015,
- having regard to the Declaration of the High-level Conference on the Eastern Mediterranean - Western Balkans Route adopted on 8 October 2015, and to the leaders' statement adopted at the meeting on refugee flows along the Western Balkan route on 25 October 2015,
- having regard to the action plan and political declaration adopted at the EU-Africa summit on migration, held in Valletta on 11 and 12 November 2015,
- having regard to the Joint Employment Report from the Commission and the Council accompanying the communication on the Annual Growth Survey 2016,
- having regard to resolution 1994 (2014) of the Parliamentary Assembly of the Council of Europe,
- having regard to the work and reports of the European Asylum Support Office (EASO),

and in particular to their Annual Report on the Situation of Asylum in the European Union 2014,

- having regard to the work, annual reports and studies of the Fundamental Rights Agency (FRA), and in particular to their studies on severe forms of labour exploitation,
- having regard to the Policy Department A study on the Integration of Migrants and its Effects on the Labour Market, to the Policy Department C studies on the implementation of Article 80 TFEU, on new approaches, alternative avenues and means of access to asylum procedures for persons seeking international protection, on exploring new avenues for legislation for labour migration to the EU, on enhancing the common European asylum system and alternatives to Dublin, and on EU cooperation with third countries in the field of migration, to the Policy Departments A and D notes and papers on EU funds for migration policies and refugee integration: analysis of efficiency and best practice for the future, and to the Policy Department EXPO study on migrants in the Mediterranean: protecting human rights,
- having regard to the studies by the European Migration Network (EMN), and in particular to their study on policies, practices and data on unaccompanied minors,
- having regard to the work and reports of the UN High Commissioner for Refugees,
- having regard to the work and reports of the UN Special Rapporteur on the human rights of migrants,
- having regard to the work and reports of the International Organisation for Migration,
- having regard to the Opinion of the European Committee of the Regions – European Agenda on Migration, adopted at its 115th plenary session of 3-4 December 2015,
- having regard to the Opinions of 10 December 2015 of the European Economic and Social Committee on the European Agenda on Migration and on the EU Action Plan against migrant smuggling,
- having regard to its resolution of 17 December 2014 on the situation in the Mediterranean and the need for a holistic EU approach to migration<sup>1</sup>,
- having regard to the relevant Organisation for Economic Cooperation and Development (OECD) publications, in particular ‘Indicators of Immigrant Integration 2015: Settling In’, ‘Making Integration Work: Refugees and others in need of protection’, and ‘A New Profile of Migrants in the Aftermath of the Recent Economic Crisis’,
- having regard to the relevant Eurofound publications, in particular ‘Challenges of policy coordination for third-country nationals’ and ‘Approaches towards the labour market integration of refugees in the EU’,
- having regard to the International Monetary Fund staff discussion note ‘The Refugee Surge in Europe: Economic Challenges’,

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<sup>1</sup> Texts adopted, P8\_TA(2014)0105.

- having regard to its resolution of 19 January 2016 on skills policies for fighting youth unemployment<sup>1</sup>,
  - having regard to its resolution of 10 September 2015 on social entrepreneurship and social innovation in combating unemployment<sup>2</sup>,
  - having regard to Rule 52 of its Rules of Procedure,
  - having regard to the report of the Committee on Employment and Social Affairs and the opinion of the Committee on Culture and Education (A8-0000/2016),
- A. whereas the refugee crisis is first and foremost a humanitarian crisis, but one with long-term impacts and thus requiring long-term responses;
  - B. whereas the number of asylum seekers and refugees recorded in Europe in 2014 and 2015 is unprecedented; whereas, according to the Commission's forecasts, among others, this number is likely to increase significantly in the coming years<sup>3</sup>;
  - C. whereas the working-age population in the EU is projected to decline by 7.5 million by 2020; whereas projections on the development of labour market needs in the EU point to emerging and future shortages in specific fields;
  - D. whereas social inclusion and integration of refugees into the labour market is a dynamic two-way process representing a challenge and an opportunity, requiring efforts from local administrations, host communities and the refugees themselves, as well as the involvement and support of social partners (representatives of employers and employees' organisations) and civil society and volunteer organisations;
1. Stresses the need for the EU to base its immediate response to the situation on solidarity and fair sharing of responsibility, as stated in Article 80 of the Treaty on the Functioning of the European Union (TFEU), and on a holistic approach that takes into account safe and legal migration and full respect for fundamental rights and values;
  2. Takes note of the high degree of heterogeneity in the use of the term refugee in public and political discourse; stresses the importance of clearly identifying refugees in accordance with the legal definition enshrined in the Geneva Convention of 28 July 1951, as amended by the New York Protocol of 31 January 1967, and in EU legislation, in particular the Qualifications Directive<sup>4</sup>;
  3. Points out that a person eligible for subsidiary protection is a third country national or a stateless person who does not qualify as a refugee but who faces a real risk of suffering, torture of inhuman or degrading treatment or punishment or a civilian facing a serious and individual threat to his or her life by reason of indiscriminate violence in situations of international or internal armed conflict (see Qualifications Directive);
  4. Stresses that significant differences exist in the times and modalities of processing

<sup>1</sup> Texts adopted, P8\_TA(2016)0008.

<sup>2</sup> Texts adopted, P8\_TA(2015)0320.

<sup>3</sup> [http://ec.europa.eu/economy\\_finance/eu/forecasts/2015\\_autumn\\_forecast\\_en.htm](http://ec.europa.eu/economy_finance/eu/forecasts/2015_autumn_forecast_en.htm)

<sup>4</sup> <http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32011L0095&from=EN>.

requests for international protection within Member States; highlights that slow and excessively bureaucratic procedures may hinder refugees' access to the labour market, as well as the activation of EU programmes and the use of funds in this field;

5. Highlights the fact that in order to facilitate the social inclusion and integration of refugees into the labour market, it is necessary to address serious and multi-faceted issues such as discrimination, linguistic barriers, diverse socio-economic and cultural backgrounds, health needs, including psychosocial and post-trauma support, family reunification and the significant share of disadvantaged groups among refugees, in particular worrying numbers of children, including unaccompanied children, people with disabilities, the elderly and women<sup>1</sup>;
6. Reiterates the importance of recognising the gender dimension of refugee status determination<sup>2</sup>, the needs of women who apply for international protection and the specific social inclusion and labour market integration challenges that women face; calls for gender to be fully mainstreamed into all policies and procedures relating to asylum and migration;

### *Challenges and opportunities*

7. Believes that granting refugees access to the labour market is important to restoring their human dignity and self-worth and is also cost-efficient, as it would allow them to be self-sufficient and to gain economic independence, which is an essential step for their inclusion into society, and a responsible approach towards public finances, easing the cost borne by Member States while also enabling them to become active fiscal contributors, which is generally considered beneficial for their individual growth, development and self-esteem;
8. Points out that early intervention is crucial to allow for successful social inclusion and integration of refugees into the labour market;
9. Highlights the fact that labour market conditions within host countries are a determining factor for the successful and durable integration of refugees; stresses that unemployment in the EU, in particular youth unemployment, is still at alarming levels, and that the Commission and the Member States should continue to prioritise policies and investments aimed at quality job creation and economic growth;
10. Stresses the need for an early, fair, transparent and free-of-charge assessment of refugees and asylum seekers' formal and non-formal skills, as well as recognition of their qualifications, in order to develop tailored measures allowing them to make full use of their potential, and to match labour supply and demand in the host countries;
11. Highlights the fact that expansive public fiscal policies, covering the extraordinary investments in social inclusion and labour market integration measures and

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<sup>1</sup> [http://www.keepeek.com/Digital-Asset-Management/oecd/social-issues-migration-health/making-integration-work-humanitarian-migrants\\_9789264251236-en](http://www.keepeek.com/Digital-Asset-Management/oecd/social-issues-migration-health/making-integration-work-humanitarian-migrants_9789264251236-en)

<sup>2</sup> EP Draft Report: <http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-%2F%2FEP%2F%2FNONSGML%2BCOMPARL%2BPE-571.702%2B01%2BDOC%2BPDF%2BV0%2F%2FEN>

programmes, are likely to have a positive effect on national GDPs in the short term, while medium- or long-term impacts on public finances will depend on the effectiveness of these measures;

12. Welcomes, in this context, the Commission's decision to take into account the budgetary impact of the exceptional inflow of refugees related to extraordinary expenditures for Member States under the preventive and corrective arm of the Stability and Growth Pact when assessing possible temporary deviations from the SGP requirements<sup>1</sup>;
13. Highlights that the main EU funds available for social inclusion and integration into the labour market, in particular the European Social Fund (ESF), as well as the Asylum, Migration and Integration Fund (AMIF), the European Regional Development Fund (ERDF) and the European Fund for Aid to the Most Deprived (FEAD), have differing focuses, target groups and management modes at Member State level;
14. Highlights the fact that the principles of equal treatment and equal opportunities should always be ensured when designing and implementing social inclusion and integration policies and measures;
15. Further highlights the fact that integration and inclusion measures aimed at refugees and asylum seekers should not draw on financial resources destined for programmes targeting other disadvantaged groups, but require additional social investments;
16. Calls therefore on the Commission to raise the allocation of the European Social Fund to a 25 % share of the cohesion policy budget in the revision of the Multiannual Financial Framework<sup>2</sup>;

### ***Making integration work***

17. Stresses the need for strict correlation between all the legislative acts forming the EU Agenda on Migration<sup>3</sup> in order to ensure good management of the extraordinary inflow of refugees;
18. Supports the Commission's efforts in updating the European Agenda on Migration, in particular by revising the Dublin III Regulation; underlines the positive impact that intra-EU mobility of refugees would have on addressing labour shortages and refugees' inclusion into the labour market; stresses that further efforts are necessary to create a truly uniform Common European Asylum System and a comprehensive and sustainable legal migration policy in the EU to meet labour market demand in terms of skills, in which social inclusion and active integration policies play a central role;
19. Deplores the fact that the Commission had to adopt 40 infringement decisions against many Member States for having failed to implement key policies of the Common European Asylum System, including letters of formal notice to 19 Member States for

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<sup>1</sup> [http://europa.eu/rapid/press-release\\_IP-15-6067\\_en.htm](http://europa.eu/rapid/press-release_IP-15-6067_en.htm)

<sup>2</sup> <http://www.europarl.europa.eu/news/en/news-room/20131118IPR25534/MEPs-approve-new-cohesion-policy-%E2%82%AC325bn-to-invest-in-Europe's-regions>

<sup>3</sup> [http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/european-agenda-migration/background-information/docs/communication\\_on\\_the\\_european\\_agenda\\_on\\_migration\\_en.pdf](http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/european-agenda-migration/background-information/docs/communication_on_the_european_agenda_on_migration_en.pdf)



not having taken the necessary measures to transpose the Reception Conditions Directive, which lays down essential standards on matters such as access to employment, vocational training, schooling and education of minors, food, housing, healthcare, medical and psychological care and provisions for disadvantaged persons; urges the Member States to rectify this situation, in compliance with the principles of solidarity, fair share of responsibility and sincere cooperation as enshrined in the Treaties;

20. Welcomes President Juncker's statement<sup>1</sup> in the State of the Union 2015 address affirming his support for granting asylum seekers access to the labour market while their applications are being processed;
21. Points out that a lengthy processing of international protection applications, and a failed registration of refugees at their arrival, not only impedes timely and legal access of refugees and asylum seekers to the labour market but also generates the conditions for the development of undeclared work practices and forms of severe labour exploitation;
22. Stresses that access to justice and protection should be ensured to all victims of exploitation; highlights the crucial work done by trade unions, civil society and volunteer organisations in reaching out to these workers and in providing them with the information and support they need;

### ***Recommendations and best practices***

23. Calls on the Member States to ensure the swift and full labour market integration and social inclusion of refugees, including access to housing, healthcare and social protection;
24. Calls on the Commission to put forward a revision of the Reception Conditions Directive in order to ensure that applicants of international protection have access to the labour market no later than six months from the date when the application was lodged;
25. Encourages the Member States to shorten the processing time of applications for international protection and to extend early intervention measures such as language training, skills assessment and civic integration courses in particular to those asylum seekers who have good prospects of being granted international protection;
26. Calls on the Member States to ensure early and easy access to quality training, including internships, in order to ensure full integration into our societies and the labour market, taking into consideration the refugees' existing skills and competences, talents and know-how;
27. Calls on the Commission to put forward a revision of the Blue Card Directive, by taking into account the extraordinary conditions with which refugees and asylum seekers are faced, as well as the needs of the EU labour market, in particular by looking at the scope and the rules on intra-EU mobility of the directive;

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<sup>1</sup> [http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/european-agenda-migration/proposal-implementation-package/docs/communication\\_on\\_managing\\_the\\_refugee\\_crisis\\_en.pdf](http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/european-agenda-migration/proposal-implementation-package/docs/communication_on_managing_the_refugee_crisis_en.pdf)[ftp://europa.eu/rapid/press-release\\_SPEECH-15-5614\\_en.htm](http://europa.eu/rapid/press-release_SPEECH-15-5614_en.htm)

28. Stresses the need for the Commission and the Member States to step up their efforts in fighting all forms of discrimination, xenophobia and racism, including by raising awareness of anti-discrimination laws and by supporting civil society organisations, social partners and National Equality Bodies in their work;

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29. Instructs its President to forward this resolution to the Council and the Commission.

## EXPLANATORY STATEMENT

The management of the refugee crisis is probably one of the main challenges the European Union and its society are facing today, due to its size, its pace and the complexity of its social, political and economic implications. It is first and foremost a humanitarian crisis on a global scale, but also specifically a crisis of policy which caught the European Union unprepared and therefore demands policy makers to take urgent and decisive actions, as well as long-term measures in line with society and labour market needs.

A new European Agenda on Migration was adopted with the aim of addressing the difficulties connected to the management of an unprecedented influx of people arriving, which are requiring extra efforts in the strengthening of border management and search and rescue operations, as well as in the updating of the Common European Asylum System, in particular the Dublin rules, and the establishment of a European relocation and resettlement scheme. Nevertheless, further or possibly even greater efforts are required in order to find rapid, effective and fair ways to create the necessary conditions for integrating asylum seekers and refugees into our society. This can only be done if the external and internal policies of the Union and its Member States are synergetic, complementary and fully and timely implemented, based on solidarity, fair sharing of responsibility and the full respect of international and human rights.

A holistic approach to migration requires firstly that the external policies of the EU, such as cooperation with third countries, humanitarian and development aid, trade, investment and security and defence policies, prove themselves capable of addressing the root causes of migration: conflicts, poverty, lack of freedoms, inequalities, extreme environmental conditions; secondly, that internal policies such as employment, education, welfare, health, are open, harmonious and flexible enough to turn the challenges presented by migratory pressures into a resource for the economic and cultural development of our societies.

This is not an easy task. First of all, because all humanitarian migrants, being asylum seekers and refugees, leave their countries forcefully and therefore are the most vulnerable group among all migrants, having often serious health needs, suffering from psychosocial and posttraumatic stress disorders or forms of disability. Besides, family reunification shall also be properly addressed as it is an essential aspect of their integration into host societies. A seriously worrisome aspect of the refugee crisis, as clearly highlighted by many recent studies, in particular by UNICEF and UNHCR, is the high numbers of children or unaccompanied children, who after having undertaken long journeys and life-threatening situations, need and deserve immediate assistance and must be taken care of as a matter of priority. Also, the gender dimension of the refugee crisis should not be ignored, and the rapporteur believes that gender evaluations should be mainstreamed into all policies and procedures relating to asylum and migration.

The second set of elements of complexity for the social inclusion and integration of refugees into the labour market relates to the current macroeconomic condition of the European Union, which is in the process of getting out of the most serious economic crisis since World War II. Record levels of unemployment, in particular youth unemployment, unevenly distributed across the Continent, together with, among others, worrying data on

poverty, labour market segmentation and slow economic recovery, may become an impediment to the integration and inclusion of refugees, if not sufficiently tackled. The situation is made even harsher by the presence of too strict rules on the consolidation of the countries' fiscal stance. Besides, the rapporteur believes that the available tools and programmes at Union level do not appear sufficient to cope with the size of the job. The European Social Fund was victim of an 8% cut of its original share during the last Multiannual Financial Framework negotiations, and the other instruments which could be used to target social inclusion and labour market integration measures, in particular the Asylum, Migration and Integration Fund (AMIF), the European Regional Development Fund (ERDF) and the European Funds for Most Deprived (FEAD) are rather small, heterogeneous and not always of easy access, due to bureaucratic hurdles or lack of flexibility. However, the Commission's efforts in improving the situation and putting forward possible solutions to some of these difficulties should be recognised and welcomed.

Therefore, while ensuring that sufficient support is allocated to measures aimed at the inclusion and integration of refugees into the labour market, at the same time it must be avoided that any form of competition between the most disadvantaged groups of our societies takes place in receiving such support. The reason is twofold: firstly, because data show that a healthy labour market within the country of arrival is a determining factor for a successful and durable integration of refugees, therefore policies and investments aimed at quality job-creation and economic growth must remain a priority; secondly, because the weakening of welfare instruments or other support measures targeting disadvantaged groups would have negative social and political consequences. As a general principle, it should also be recalled that the principles of equal treatment and equal opportunities should always steer policy making in the field of social inclusion and integration.

The third element making the development of effective social inclusion and integration measures more problematic relates to their often unpopular nature to the eyes of the public. Partly in connection with what was said before, it is not uncommon that people feel threatened by the arrival of a conspicuous (or even a small) number of asylum seekers and refugees, as they see the possibility of an increased competition in access to services or employment, especially when and where unemployment is high and social conditions are particularly tough. Besides, the recent growing support for xenophobic and anti-immigration political parties and movements across the EU denotes a serious trend that cannot be taken lightly. Forms of discrimination, xenophobia and racism, based on false myths and prejudiced views still exist, if not are on the rise, and the European Parliament has a major role to play in fighting such phenomenon.

The report strives to accomplish the following objectives: clarify the exact subject under examination by precisely recalling what does being a refugee mean and the main elements of the current discussion; highlight the most relevant issues, the challenges and the opportunities that the social inclusion and integration into the labour market of refugees bring along; analyse the development and impact of recent measures, actions and practices undertaken at the Union and Member States' level in order to make integration and inclusion work for our society; finally, put forward a series of proposals, recommendations and suggestions for achieving a better social inclusion and integration of refugees into the labour market. The structure sketched in the text tries to reflect this approach.

In a broader sense, the report attempts to outline on the one hand the complexity and multi-faceted nature of the subject and, on the other, the urgency and necessity for a solution to be found, keeping in mind the unavoidable application of the principles of solidarity and fair sharing of responsibility which is required to address this common European problem, and which requires a common European answer.

The rapporteur has availed himself of the invaluable help and support of specialists and their publications, in particular from the OECD, the ILO, the UNHCR, UNICEF and the IMF, as well as the EU agencies EUROFOUND, CEDEFOP and FRA. He is thankful to all those who advised him in the preparation of this first draft, including representatives of the European Commission, the European Economic and Social Committee, the Policy Department for Economic, Scientific and Quality of Life Policies of the European Parliament, as well as the many NGOs, social partners, trade unions and employers organisations who assisted, advised or stimulated him in this first phase.