

JOINT REPONSE OF PROJECTS AND STAKEHOLDERS INVOLVED IN EQUAL TO THE GREEN PAPER ON THE FUTURE OF THE COMMON EUROPEAN ASYLUM SYSTEM

On 22-24 May 2007, the Swedish ESF Council organised, in cooperation with DG Employment, Social Affairs and Equal Opportunities and with inputs from DG Justice, Freedom and Security, a European Policy Forum entitled: "Minimum standards – and beyond: The contribution of EQUAL to a dignified standard of living for asylum seekers". More information on the EQUAL Community Initiative, which funded more than 100 projects (called Development Partnerships) can be found at: http://ec.europa.eu/employment_social/equal/index_en.cfm. More information about the event can be accessed at: <http://www.temaasyl.se/Templates/IntroPage.aspx?id=1685>.

Over 250 representatives from nearly 50 Round 2 EQUAL partnerships, the European Commission, international organisations, refugees, journalists and national ministries from 23 different Member States came together to discuss the many advantages of helping asylum seekers to integrate rather than to exclude them from society, and to jointly identify opportunities to take the EQUAL legacy forward once the programme comes to an end in 2008.

This response is based on the **six key recommendations** that were jointly formulated by all those that took part in the event and on the general discussions during these three days. A total of **104** actors and stakeholders from all over Europe, representing a mix of public authorities, NGOs and other bodies have signed up to this response. It is noted that answers are provided only to questions where it was deemed that EQUAL could make a useful contribution.

2. LEGISLATIVE INSTRUMENTS

2.1. Processing of asylum applications

(2) How might the effectiveness of access to the asylum procedure be further enhanced? More generally, what aspects of the asylum process as currently regulated should be improved, in terms of both efficiency and protection guarantees?

Recommendations to enhance the effectiveness to the asylum procedure, based on good practices in the **EQUAL Asylum Seeker theme**, include:

- The provision of basic training of all those working with asylum seekers, hence including those responsible for the application process. The training should be standard practice in the same light as, for example, diversity training. Asylum seekers are a unique but heterogeneous target group with very particular needs. Ideally, a 'Code of Conduct' or 'minimum standards' for competences and skills of staff working with asylum seekers should be agreed at EU level.
- The European Commission should consider developing additional guidance, training, exchanges of experiences or other opportunities to increase the capacity of administrations and other agencies to deal with the application process. There would be scope to also develop a quality assurance system which would help monitoring whether such capacity is indeed being developed.

It is equally important to ensure that asylum seekers continue receiving support even when a first negative decision on their application has been reached.

2.2. Reception conditions for asylum seekers

(6) In what areas should the current wide margin of discretion allowed by the Directive's provisions be limited in order to achieve a meaningful level-playing field, at an appropriate standard of treatment?

Based on the good practices in the **EQUAL Asylum Seeker theme**, there are clear arguments for amending Article 24 of the Directive. Member States should give clear guidance on the necessary qualifications for support staff, if possible supported by a 'Code of Conduct' or minimum standards set at EU level. The empowerment of asylum seekers should be an essential part of the reception and integration process of asylum seekers. Upon arrival, asylum seekers should have the right to and be informed about access to education, training and skills assessments / recognition.

(8) Should national rules on access to the labour market be further approximated? If yes, in which aspects?

Based on the good practices in the **EQUAL Asylum Seeker theme**, Article 11 should be amended. Asylum seekers should have direct access to employment unless Member States can provide hard evidence that this will substantially disturb their labour markets. Issues of social inclusion are to be taken into account. Employer organisations and trade unions should become involved in opening the labour market for the creation of new jobs based on diversity, and influence policy makers to revise reception conditions.

The development of specific vocational programmes or pathways for asylum seekers facilitates the learning process and enables them to better 'profile' themselves on the labour market. **EQUAL partnerships** have for example experimented with new job profiles which have been particularly effective in Member States with a tight labour market or where access of asylum seekers to employment is otherwise restricted.

2.4. Cross-cutting issues

2.4.1. Appropriate response to situations of vulnerability

(15) How could the provisions obliging Member States to identify, take into account and respond to the needs of the most vulnerable asylum seekers be improved and become more tailored to their real needs? In what areas should standards be further developed?

EQUAL Asylum Seekers has shown that it is particularly important that staff working with vulnerable groups is well-trained and is fully aware of the needs and plight of this particular target group. For this purpose, similar to the response to point 6, Article 24 of the Directive should be amended. Member States should give clear guidance on the necessary qualifications for support staff, if possible supported by a 'Code of Conduct' or minimum standards set at EU level.

(16) What measures should be implemented with a view to increasing national capacities to respond effectively to situations of vulnerability?

EQUAL Asylum Seekers has shown that specific programmes and projects for vulnerable groups can be highly successful in promoting the integration of asylum seekers and / or to prepare them for reintegration. The programmes often included a combination of social and psychological counselling and support, special health care provisions, civic orientation, language courses and vocational training or even job placements, where possible.

2.4.2. Integration

(17) What further legal measures could be taken to further enhance the integration of asylum seekers and beneficiaries of international protection, including their integration into the labour market?

As above, **EQUAL** would recommend amendments to Articles 11, 12 and 24 of the Directive. Similarly, the **EQUAL good practices** have shown that there is scope for 'exceeding' the minimum standards of Article 12 of the Directive in the area of training. The experience of **EQUAL** in this area illustrate the benefits that this can bring not only to individuals but also to the host society. Member States which allow asylum seekers to access vocational training can testify higher levels of motivation and faster integration. Asylum seekers faced with the necessity to return to their country of origin are also better prepared and in general more positive about their future.

2.4.3. Ensuring second stage instruments are comprehensive

(18) In what further areas would harmonization be useful or necessary with a view to achieving a truly comprehensive approach towards the asylum process and its outcomes?

As mentioned under point (6) above, upon arrival, asylum seekers should have the right to and be informed about access to education, training and skills assessments / recognition. Whilst there is an overall obligation for Member States to provide information to asylum seekers, further specification and harmonisation of this obligation would be beneficial.

3. IMPLEMENTATION - ACCOMPANYING MEASURES

(19) In what other areas could practical cooperation activities be usefully expanded and how could their impact be maximised? How could more stakeholders be usefully involved? How could innovation and good practice in the area of practical cooperation be diffused and mainstreamed?

The **EQUAL European Thematic Group on Asylum Seekers (ETG5)** was made up of a Steering Group leading the overall work programme. The ETG5 focused on Advice, education and training; Employment and employer relations; and Capacity building and awareness raising.

Several Working Groups were established to explore particular themes (e.g. Skills Audits) or to support the organisation of an event (e.g. Dublin European Conference in April 2005 and Exchange event in Greece in 2006). The ETG5 also promoted the organisation of the European Policy Forum on Asylum. Practitioners and stakeholders from all Development Partnerships (i.e. the projects funded by EQUAL) in both Round 1 (38 projects) and Round 2 (64 projects) of the Community Initiative were on many occasions consulted and requested to put forward their good practices, which were discussed and exchanged during practice-oriented events organised by the ETG5. In addition, two larger-scale conferences looked in particular at mainstreaming the good practices.

There would be scope in continuing the ETG5 in some form or transferring some of its work to another European platform. Options for funding a similar network should be explored, but could be found through the European Social Fund or the new Framework Programme on Solidarity and Management of Migration Flows.

4. SOLIDARITY AND BURDEN SHARING

4.2. Financial solidarity

(25) How might the ERF's effectiveness, complementarity with national resources and its multiplier effect be enhanced? Would the creation of information-sharing mechanisms such as those mentioned above?

EQUAL would welcome the development of an information-sharing mechanism and draws attention to the example offered by the ETG5 described in point (19) above. The instruments for dissemination and policy impact used and developed in the EQUAL Initiative should be further developed, adapted and transferred.

STAKEHOLDERS WHO SIGNED UP TO THIS RESPONSE

EQUAL Development Partnerships

Toyin Fagbemi

EASI DP

Islington Training Network

Veronique Laurens

FAAR/Exchanges

Cimade

Norbert Grehl-Schmitt

DP SAGA

Caritasverband f.d. Diözese Osnabrück

Marc PAUL

LONGUE MARCHÉ

ASLC

Mayte Calvo Martin

RCMP EI - 43

Maren Gag

Fluchtort Hamburg

passage gGmbH

Claudia Langholz

Land Ahoy! Vocational Qualification for Refugees in Schleswig-Holstein

Refugee Council Schleswig-Holstein

Kai Weber

SAGA

Flüchtlingsrat Niedersachsen

Ester van Meeteren

Equal development partnership Mobilee

Drenthe College

Greetje Dijkers

Spark 2004/EQE/0012

Drenthe College ROC

Alice Binchy

Transition | Supports Project

Tallaght Intercultural Action

DANIELA DI CAPUA

INTEGRARSI

ANCI

Jesmond Debono

OIWAS

Varinia Morales

DP TransKom/ Project SpraKuM

Diakonie Wuppertal

Alice Binchy

Transition Supports project

Tallaght Intercultural Action

Elke Konieczny
First Aid in Integration, AT 261-11
Zeit!Raum

Marc PAUL
EXCHANGE
ASLC

Durja Man Tamang
EQUAL Program and KISA- Action for Equality, Support, Antiracism, Cyprus
EQUAL, KISA and Nepalese Equality Partner Association for Liberty (NEPAL), Cyprus

Mats Hägglund
BMV-project

Tomas Magnusson
Arrival Gothenburg/Ankomst Göteborg
Gothenburg Initiative/Göteborgs-Initiativet

Andras Kovats
ESÉLY
Menedek Association

Mette Schmidt, Karen-Inger Thorsen
want2work/CASA
Danish Red Cross Asylum Dep

Evangelos Spetzouras
G & D Social Lab

Maria Hernandez
ENEAS-EQUAL
Ministry of Labour and Social Affairs. Spain

Pauli Heikkinen
Becoming More Visible
Finnish Red Cross

Lisa Tönnes
The National thematic network on Asylum & Integration in Sweden

Frans Bastiaens
TOP Return development project
HIT Foundation

Katarina Löthberg
Health advisors in a multy cultural society, Action III
City of Uppsala, City of Malmö, Region Skane

Michaela Ludwig
"Fluchtort Hamburg"
Diakonisches Werk Kirchenkreis Niendorf
Katarina Willstedt
The National thematic network on Asylum & Integration in Sweden

Toyin Fagbemi
EASI
Islington Training Network

Lotta Lidén
Outstanding
Göteborgs Räddningsmission

Antonio Boschin
Concentus
FICT - Co.ge.s

Edith Kleinekathöfer
Fluchtort Hamburg
basis & woge e.V.
Albert Mukamina Mvula Equal/Czech republic
Charles university

Rohi David
oasis
Independent

Heinz Fronek
EPIMA 2

Justine Nambi
North London Aspire DP
Positive Care Link

Doris Habermann
DP bridge, Berlin, Germany
KOMBI Consult GmbH

Iris Beckmann-Schulz
EQUAL Fluchtort Hmaburg - Berufliche Qualifizierung für Flüchtlinge
passage gGmbH
(did not participate in the conference but signed up the response)

Verena Groß
SAGA - Selbsthilfe, Arbeitsmarktzugang und Gesundheit von Asylsuchenden
Caritasverband für die Diözese Osnabrück
(did not participate in the conference but signed up the response)

Valentina Bereznaja
Refugee reception centre, Rukla, Lithuania
(did not participate in the conference but signed up the response)

Paulina Babis
@lterCamp
Ministry of Labour and Social Policy
(as well transnational partnership)

Stephen C Vella
Asylum Seekers Partnership MALTA/ PASSI
Foundation for Social Welfare Services
(as well transnational partnership)

Martina Fruechtl
MigraNet
Tuer an Tuer
(as well transnational partnership)

David Hudson
EASI DP/TCA Exchanges
British Refugee Council
(as well transnational partnership)

EQUAL Transnational Partnerships

Goetz Diederichs
Junges Hotel Hamburg

Tino Boubaris
MOLE! TCP
VNB e.V. Germany

vetter Elisabeth
oasis
association UCJG

Mr. Tamás Jácsku
ESÉLY
Northern Great Plain Regional Labour Centre

Jan Murk
TOP/WIN
HIT

Leo Kantor
The Central federation of Immigrants in Sweden

Hannu Tuovinen
Becoming more visible
Tampere Reception Centre

Ester van Meeteren
Added Value by Empowerment

Seghers Marie
TCA/R2L
Overmolen

Other Organisations

Miriam Bakx
Terug naar je toekomst
ROC Nijmegen

Jesmond Debono
OIWAS

Nadezda Patoprsta
Ministry of Interior of the Slovak republic

Alexander Kraake
German Red Cross, National Headquarters

khaled Abdu
EDHR

Doros Polykarpou
KISA - Action for Equality, Support, Antiracism

Abdul Munam Kadhim
Umeå university

Willemijn Vriesendorp
European Parliament

Jan Kepka
The Ministry of Labour and Social Affairs of the Czech Republic

Barbara Schmidt
NSS EQUAL

Balazs Ocsko
OFA EQUAL NSS

Fidone Maria Giovanna
Italian Council for refugees

Stella Nanou
UNHCR

Aukse Reklaityte
Ministry of Social Security and Labour of the Republic of Lithuania

AFRODITI GORANTONAKI
ITHACA DP
HERAKLION CHAMBER OF COMMERCE AND INDUSTRY

Miriam Benterrak
Spanish Support Structure

Zuwanderungsberatung - Diakonisches Werk Ennepe-Ruhr/Hagen

Dr. Reinhard J. Voss
Pax Christi Germany

Christian Råbergh
NTN Asylum Sweden

Julia Fernández
ACCEM

Anzelika Bruze

Rania Oikonomou
MA CIP EQUAL Greece,
Ministry of Employment and Social Protection

Katarina Nilsson
Swedish NTN Asylum & Integration

Flüchtlingsrat Mecklenburg-Vorpommern e.V.

Eva Klippenstein
Refugee Council of Düsseldorf

George Joseph
Caritas
(signed as well as individual)

Miguel Benito
Immigrant-institutet
(did not participate in the conference but signed up for the response)

Rona Moran
amnesty international

(did not participate in the conference but signed up for the response)

Anders Persson

Arbetsmarknadsenheten Socialförvaltningen Olofströms kommun

(did not participate in the conference but I sign up for the response)

As an individual

Jorge Malheiros

Rhona Hodgart

ATLAS Scotland

Anniesland Colleg of Further Education

Walter Faerber

Anita Gradin

NTG-Asyl-ordförande

Felicita Medved

Eleonora Ascencio

Lunds Universitet

Stefan Jonsson

University of Linköping, Sweden

Farideh Riahi

Leena Lyra

Carmen Abascal

eneas equal 2

Nizar al Sirri

Birgit Schwebs

Did not participate in the Policy Forum, but signed up to the response

Michael Lucas-Nülle

Caritas

(Did not participate in the conference but signed up for the response)

Dr. Andreas Hieronymus

iMiR-Institut für Migrations- und Rassismusforschung

Ginbot Hiyabu

Eritreans for Democracy and Human Rights (EDHR)

Birgitta Beijer

Annika Almén

Catarina Rödström

Arbetsförmedlingen Sverige

Dr. Barbara Weiser