

## HOW EQUAL EXPERIENCE IN THE ASYLUM SEEKERS THEME CAN CONTRIBUTE TO POLICY DEVELOPMENT

The European Council is committed to the development and application of a Common European Asylum System. This involves legislation and cooperation on practical issues. Around 5% of EQUAL resources have focussed on innovative means of promoting the social and vocational integration of asylum seekers. EQUAL is both a funding programme emphasising innovative approaches and a platform for learning and co-operation at national, transnational and EU levels. The experience of EQUAL illustrates the potential for influencing the national and EU policy agenda.

### 1. THE PROBLEM

Often debates concerning asylum issues have been poorly informed by what is happening 'on the ground'. The experience of EQUAL partnerships, transnational cooperation work and the EU thematic conference<sup>1</sup> illustrate the potential for influencing the national and EU policy agenda.

There are in broad terms three types of policy instrument through which EU policies are pursued: legislation; EU funding of programmes; and platforms for co-operation and exchange of experience. In practice these instruments are developed and applied in parallel, but often with relatively weak links between them. Activities, such as those undertaken in EQUAL can strengthen the links between the different types of policy instruments.

There are still marked differences between Member States with regard to the access of asylum seekers to advice, education, training and employment, despite the existence of EU legislation providing minimum standards. The same applies to the provision of services at the national and local levels. EQUAL and other resources have had to be used flexibly.

### 2. POLICY RELEVANCE

#### 2.1. THE EUROPEAN NATURE OF THE ISSUE

Current levels of asylum seekers are a little less than half of the peak level of 700,000 in 1992. The number of applications lodged has continued the downward trend which was noted in the 2004 Policy Briefs reviewing the situation in 2002-2003, falling about 35% since 2000. Member States have to deal with the provision of assistance to asylum seekers during their application process. As the duration of this process can vary between a few months to a few years, there is a need for intensive, ongoing and sometimes long-term support. During this waiting period, asylum seekers can make a valuable contribution to the economies of the host country both in the short and in the longer term.

#### 2.2. EU POLICY FRAMEWORK

EQUAL is a learning platform to find new ways of achieving the policy objectives of the European Employment Strategy, the Social Inclusion and Anti-discrimination processes. The Asylum Seekers Theme, which has the objective of promoting the social and vocational integration of asylum seekers, links to the Common European Asylum System (CEAS) and in particular to the Directive on Minimum Standards for the Reception of Asylum Seekers. EQUAL's input to these

---

<sup>1</sup> Asylum Seekers in Europe: the challenge of integration. 1<sup>st</sup> April 2004

policies is to present evidence of good practice to ensure that the most positive results are shared across Europe.

The agreement and implementation of the Directive on Minimum Standards for the Reception of Asylum Seekers, adopted in 2003, provided the EQUAL Asylum Seekers theme with a clear frame of reference. Several of its articles are relevant for the work that EQUAL partnerships are developing, such as the articles related to advice and information, capacity building and material reception conditions. Clearly the most relevant articles concern Article 11 and 12, requiring Member States to provide access of asylum seekers to employment and to clarify their entitlement to vocational training. Many have argued that some of the positive aspects of the Tampere conclusions, establishing the Common European Asylum System, have been diluted and that there is less harmonisation than originally envisaged, in order to take account of the different wishes of the Member States. The initial enthusiastic reactions from NGOs are now more reserved.

The Hague programme, constituting the second phase of Tampere, has provided however a new impetus to asylum and migration policy. The programme places a high focus on practical cooperation between Member States and intensive exchanges of information on migration and asylum issues. In the area of asylum, there is a commitment to undertake a complete evaluation of the legal instruments that were adopted in the first phase to assess their implementation, relevance and effectiveness to deal with the problems that were initially identified and their impact on Member States. An evaluation of the Directive on Minimum Standards for the Reception of Asylum Seekers is underway and could potentially lead to proposals to revise some of its provisions in order to further improve reception conditions across the EU. At present, the majority of Member States do allow asylum seekers to work and to take part in vocational training programmes. It is however, in reality, not easy for asylum seekers to actually find employment, due to tight labour markets and the reluctance of employers to hire persons that may only stay for a short while.

### **The Framework Programme on solidarity and management of migration flows**

The European Refugee Fund was set up as part of the Tampere conclusions. Its main objective was to support and encourage the efforts of Member States in receiving asylum seekers and displaced persons by making Funds available for reception, integration and voluntary returns. The first phase of the European Refugee Fund was ended in 2004. The second phase started in 2005, giving more emphasis to transnational working and legislative harmonisation in European asylum policy.

As from 2008, the European Refugee Fund will become an integral part of the Framework Programme on solidarity and management of migration flows, which includes three other Funds, namely the External Borders Fund, the Integration Fund and the Return Fund. Measures on voluntary repatriation of asylum seekers will not fall under the latter.

## **2.3. NATIONAL POLICY DEVELOPMENT**

Despite having implemented the Reception Directive, policy developments in several Member States policy developments are showing an increasingly restrictive approach to the integration of asylum seekers and a higher focus on their return. The shortening of the application process in many countries is also complicating the situation. When asylum seekers receive a positive or negative decision on their application, they often have to stop all support and integration activities they were participating in while waiting for a decision on their status. They are simply considered a different target group, for which different rules apply. Asylum seekers with a first negative decision are in most cases no longer allowed to take part in education, training and other activities. These developments pose a great challenge for those working with asylum seekers and has increased the importance of showing the merits of providing access and services above the defined minimum standards.

## 3. SOLUTIONS: GOOD PRACTICE FROM EQUAL

---

### 3.1. INFLUENCING THE POLICY AGENDA

EQUAL's primary objective is the mainstreaming of emerging policy and practice lessons. This has happened at the horizontal level, where practices and approaches have been adopted by other practitioners, either working with asylum seekers or in related areas.

There are also examples of vertical mainstreaming, and evidence that the messages from EQUAL are being heard by policy-makers and other multipliers at local, regional and national level. EQUAL partnerships have succeeded in getting their results and concerns placed on the different policy agendas, though for example organising events and press meetings, establishing strategic partnerships and "round tables" involving policy makers and by combining forces in National Thematic Networks set up for the purpose of national mainstreaming.

In Sweden recommendations have been made on how to develop national policies based on the experience of 4 EQUAL partnerships and other grass roots activities.<sup>2</sup> A German EQUAL partnership is transferring and communicating good practices through the development of a network<sup>3</sup>.

In Italy where the asylum policy is less developed, an EQUAL partnership has focussed on increasing institutional capacity through training those working for local authorities to improve the

---

<sup>2</sup> How to best make one's voice heard in national debates and spread the message about successful practices under the EQUAL Asylum Seekers Theme has from the very start been a critical element in the work of the Swedish National Thematic Network. The network successfully took on this challenge by finding innovative ways to make policy-makers more aware of what was happening on the ground. Under Round 1, the network submitted recommendations to the Swedish government on how to develop national policy based on the experiences of EQUAL and ERF projects, as well as initiatives financed by national funds. The recommendations included:

- The introduction, during a trial period, of health care informers with language and cultural skills to promote the health of asylum seekers.
- The provision of well-defined and targeted services to asylum seekers which take into account their educational and occupational background so as to facilitate their integration into the labour market.
- The development of specially adapted validation instruments for asylum seekers with the objective of fostering their integration or repatriation.
- The use of a common competence development training programme, such as the model developed by the ReKOMP DP.
- The establishment of a forum or working group made up of representatives of relevant government ministries with the aim of analysing and implementing the project experiences and recommendations with regard to the CEAS and the policies of other Member States.

The network not only created a 'reference group' which ensures a high standard of work, but the National Thematic Network also helped to establish an Inter-ministerial Policy Group where the results of initiatives under the EQUAL programme as well as the European Refugee Fund could be communicated to others.

The reference group, chaired by Anita Gradin, a former European Commissioner for immigration, home affairs and justice and Swedish cabinet minister, was set up at the beginning of 2005, meeting twice a year. The group looks at the work of the Swedish national network and ensures the quality of studies and practices that have been developed. By bringing together high-level actors from various fields, including political, cultural, media and research representatives as well as former asylum seekers, this group provides invaluable insights and perspectives from different points of view. By visiting projects, participating in seminars, reviewing studies in previously un-researched areas, and putting a 'quality stamp' on the work of the EQUAL projects, reference group members provide excellent channels to spread the messages in their respective fields.

<sup>3</sup> The Development Partnership, which is continuing its activities under the name TransKom, also takes part in the Federal Work Group of Asylum Development Partnerships (BAG) consisting of eight networks of operative Partners which are working very closely together on the political stage to make policy recommendations on matters concerning Asylum Seekers. To mainstream the idea that asylum seekers are highly motivated potential employees and should be allowed to work, the BAG is organising regular conferences uniting policy makers and industry representatives as well as awareness seminars for the top company management and Chambers of Commerce.

implementation of policy<sup>4</sup>. In Ireland an EQUAL partnership has established a sub group to transfer lessons to statutory agencies.<sup>5</sup> In the UK an EQUAL partnership is using the mechanism of regional and national seminars co financed by a national agency as a means of conveying key policy messages.<sup>6</sup>

### 3.2. TRANSNATIONAL LEARNING TO INFORM POLICY

The activities within the Asylum Seekers Theme are demonstrating the benefits of being able to compare and learn from the experiences across Member States. The challenges faced by the Member States are similar, there are shared commitments and obligations to implement the CEAS. However, the regulatory and institutional contexts vary markedly. These circumstances provide fertile conditions for transnational cooperation and the identification of policy solutions that are applicable in different contexts. The emphasis on transnational activity within EQUAL provides a basis for 'bottom up' cooperation and the identification of good practices that will be of value in taking forward the CEAS.

The Working Group on Skills Audits was a first example of cross-border collaboration between partnerships and experts from different Member States<sup>7</sup>. Thirteen Round 1 transnational partnerships within the Asylum Seekers Theme that have generated interesting results and products. Eighteen more are striving to achieve the same under Round 2. Transnational cooperation provides increased knowledge and understanding of the different national contexts and the implications that these have on the integration of asylum seekers. Many of the transnational partnerships have been undertaking comparative studies and research on this and have prepared and presented recommendations and suggestions as to how these could be harmonised or at least dealt with, especially in the light of the CEAS developments to politicians at national and EU levels.

Another important positive outcome of the transnational work is the opportunity it creates for direct exchanges of experiences and products. The transnational partnerships are organising meetings, workshops and conferences to discuss and promote their methods and approaches both within the partnership and to a wider audience. Examples of such exchanges include workshops on skills audits, employer relations, network building and education and training methods. One large TCA has undertaken comparative research. The results of the work led to recommendations for both national and European policy players<sup>8</sup>.

---

<sup>4</sup> Integ.r.a DP has followed the path first explored by the PNA (the National Asylum Programme) to train those working for local authorities. City officials in charge of the management of local Integ.r.a. offices are trained on the different matters necessary to deal with asylum seekers/refugees. The objective of the DP is to create a small permanent structure in each municipality. With such knowledge, public administrators are able to see a clear picture and can successfully coordinate and manage resources and plan effective actions for the beneficiaries. Integ.r.a continued under Round 2 under the name IntegRARsi, is strengthening its existing networks and linking local facilities to the wider national network of integrated services for vulnerable groups.

<sup>5</sup> Under Round 1 of EQUAL, the SONAS DP in Ireland established a policy sub-group comprising statutory agencies and NGOs to ensure a transfer of learning from the project both horizontally (ie to other TCA, DPs and NGOs) and vertically (ie to statutory agencies).

<sup>6</sup> The findings of ASSET UK in Round 1 were shared with practitioners and policy makers in 2004 and 2005. Regional seminars were also organised to disseminate good practice. A mainstreaming programme was planned with co-financing from a major national agency (the UK Learning and Skills Council) focusing on mainstreaming nationally on issues of education and training for asylum seekers

<sup>7</sup> Skills Audits are considered in detail in a separate Policy Brief

<sup>8</sup> In Round 1, ASPIRE! was the largest transnational partnership within the EQUAL Asylum Seekers Theme. Its comparative policy research was subdivided into three themes: Health; Education and Employment; and, Orientation and Capacity building. The Education and Employment group worked on a model for enrolment of asylum seekers into vocational training and work. The model looked at the different phases asylum seekers go through before getting an actual placement (e.g. introduction, assessment, actual placement) and examined the effects these phases had on their integration and empowerment. The Health group analysed health and social care systems and their accessibility for asylum seekers in different countries, including gender dimensions, human rights and employment aspects. Each of the working groups produced their findings, which were subsequently elaborated into policy recommendations and presented to a wide audience, including national politicians and members of the European Parliament.

### **3.3. ORGANISING EXCHANGE FORA TO CONSOLIDATE EXPERIENCES TO INFORM POLICY**

By bringing actors together who represent the different levels of policy and legislation, and by making them aware of what is happening on the ground, the influence of such practical experiences can be substantially increased. During the EQUAL thematic conference<sup>9</sup> the actual experience of partnerships within EQUAL was put to the test under the scrutiny of policy actors during the Conference. It emerged that:

- Skills audits kept asylum seekers involved, and ensured that formal and informal qualifications were taken account of in considering education, training and work options. They could be undertaken at reasonable cost and had been successfully applied in different national contexts within the EU.
- The co-ordination of services for asylum seekers was critical. EQUAL had helped a partnership to use Information and Communication Technology (ICT) to make best use of very limited resources available for the integration of asylum seekers in Greece.
- Language competence was an important route to the social integration of asylum seekers. Linking language training to vocational training had accelerated learning for young African asylum seekers within a partnership in Austria.
- Where asylum seekers were restricted from taking employment 'work shadowing' had brought benefits both to the asylum seeker and the host community. The process had helped employers recognise and eventually realise the benefits of engaging asylum seekers and refugees.

Partnerships had worked constructively at the transnational level across the varied national legislative and institutional contexts. Despite these variations, lessons had been drawn from practice in one context and transferred to another. Indeed the national variations and aspirations for eventual harmonisation and improvements in standards provided strong rationales for transnational learning.

Under Round 2 the Swedish authority responsible for EQUAL, called the ESF Council, is planning a European Asylum Policy Forum in May 2007. Three main seminars and several workshops will be dedicated to the presentation and discussions on EQUAL good practices in the area of Advice, Education and Training, Employment and Capacity building. Specific attention will be placed on the extent to which the EQUAL practices have contributed to the adoption of measures at Member State level that go beyond the minimum standards of the Reception Directive. The event should convince policy and decision makers of the benefits, also in economic terms, of helping asylum seekers to integrate.

### **3.4. USING EQUAL RESOURCES TO COMPLEMENT OTHER PROVISION**

The experience of the DPs illustrates the complementary and flexible way in which EQUAL resources have been used. The regulations affecting the social and vocational integration of asylum seekers vary between Member States as do the availability of services from the public and the NGO sectors. In these circumstances EQUAL resources have needed to be deployed in a manner complementary to other EU programmes, such as the ERF and national and regional interventions. Indeed EQUAL resources have acted as a catalyst bringing together relevant agencies and helping ensure co-operation and co-ordination in a policy field characterised by changing regulations and marked fluctuations in the need for services.

---

<sup>9</sup> Asylum seekers in Europe: the challenge of integration. 1<sup>st</sup> April 2004

## **4. POLICY MESSAGES:**

---

### **EU policy actors: European Commission; European Parliament; and Member States.**

- There needs to be a closer link between what is happening on the ground and evidence on 'what works when' and the framing and implementation of legislation. The implementation of the Directives that have been agreed, especially the Directive on Minimum Standards for Reception Conditions, which most directly effects the social and vocational integration of asylum seekers, needs to be carefully monitored and assessed once entered into force. Where necessary, reviews should be suggested in the light of practical experience and the benefits of initiatives and policies that improve the minimum standards.
- There should be improved mechanisms to feed real practical experience into policy making to show where, from experiences gained by EQUAL, policy changes need to be made. Conferences and other exchange fora are examples of such mechanisms, but a more systematic approach would be necessary to ensure continuous linkages between practice and policy.
- There needs to be improved evidence on the costs and benefits of activities that promote the social and vocational integration of asylum seekers gained through on going evaluation.

### **National Authorities**

- In the Asylum Seekers Theme there is a continuing need to make the case for the underlying policy objective, that is, the social and vocational integration of asylum seekers.
- The combination of the policy framework of the CEAS and the continuing differences in national contexts provide a strong opportunity for transnational learning to be the basis for mainstreaming lessons at the national level.