



Activities Report 2001-2003



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Introduction

This report highlights the activities that the Migration Policy Group (MPG) undertook in the period 2001-2003. In this period MPG built upon its activities, as described in the 1998-1999 report, and expanded its programmes considerably.

Major changes took place in Europe in the late 1990s and first years of the 21st century. New international equality and anti-discrimination standards were adopted by the Council of Europe and the European Union. The two European organisations published a series of reports on migration and immigrant integration. After the entry into force of the Amsterdam Treaty, migration moved further up on the Union's agenda. Countries in Central and Eastern Europe joined the Council of Europe and many of these will soon also join the Union.

It is against this backdrop that MPG set standards and designed policy proposals for European approaches to migration, mobility, anti-discrimination and diversity. MPG also promoted a well-informed policy debate across Europe on these issues. The first part of the report describes the main activities undertaken in the field of migration and anti-discrimination in a concise way. MPG has invested considerably in establishing working relationships with organisations in accession states by inviting organisations from these countries to take part in events (co-) organised by MPG and by visiting candidate countries.

The second part of the report deals with organisational matters, such as the internal and external independent reviews of the organisation and it gives information on sponsors and, last but not least, the MPG team.

MPG tremendously enjoys the partnership with many other persons and organisations, making us much more effective as an organisation in achieving our goals. In this way we hope to have contributed to the further development of just and effective immigration and integration policies.

Dev Sharma
Chair

Jan Niessen
Director

In brief

- MPG designs and successfully promotes innovative policy measures
- MPG facilitates productive international exchanges and dialogue between a variety of stakeholders
- MPG plans and conducts comparative policy research, makes research relevant for public debates, provides policy analysis and establishes best practice
- MPG gathers and disseminates information on policy developments and is an authoritative source of information
- MPG works with a unique cross-sectoral international network of NGOs, businesses, government and academics
- MPG is truly international, working in Europe, with strong transatlantic ties and working relationships with organisations in North America, Australia and developing source countries of immigrants
- MPG strongly believes in the value of partnership and co-operation, maximising outcome and impact and reducing costs

MPG is a small organisation with a highly committed team that guarantees a non-bureaucratic way of working and the delivery of high quality products.

I. The Programme

1.1 Migration

Setting standards

In 2000, MPG launched, together with the Immigration Law Practitioners' Association (ILPA), six legislative proposals in the areas of immigration and asylum, based on the new Title IV of the EC Treaty. The proposals were called the *ILPA/MPG Amsterdam Proposals*, a clear reference to the Amsterdam Treaty that gave the Union institutions powers to act on immigration and asylum. The proposals covered the areas of asylum, family reunion, long-term resident third-country nationals, border controls, irregular immigration and primary immigration. They provided a comprehensive framework for European immigration and asylum law that reflects the views and expertise of non-governmental actors in the Member States. A series of Round Tables were organised in the course of the years 2000 and 2001, one in each Member State. They were co-hosted by a national partner organisation. The Amsterdam Proposals were discussed regularly with the European Commission at the time when the Commission was drafting its legislative proposals in the migration field. Similarly, the Amsterdam Proposals were discussed regularly with Members of the European Parliament and the EU's Economic and Social Committee (ECOSOC), when these were preparing their reports on the Commission's legislative proposals.

Policy proposals

MPG felt that it was necessary to formulate, in addition to the proposed legal standards, a series of principles for European immigration policies. Therefore, MPG prepared and published an occasional paper containing such principles (*The management and managers of migration*, published in late 2001). A draft of this paper was discussed by experts from a number of Member States, the European Commission and the Council of Europe. Another occasional paper, *Borders and Discrimination* (published again together with ILPA in 2002), addressed the issue of discrimination on the grounds of nationality and ethnicity in matters related to immigration and mobility. The paper made the case for EU's visa and borders laws not overstepping the boundary between permitted distinction on the basis of nationality and illegal racial and religious discrimination. The publication linked MPG's work on migration to its work on anti-discrimination. At the Belgian EU Conference on Migration (Brussels, 16 - 17 October 2001), a number of European and American foundations published their *Policy Recommendations for EU migration policies*. MPG contributed to this publication and wrote the recommendations.

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Changing the terms of the debate

The official EU proposals were met with considerable resistance in the Council of Ministers, one of the reasons being the fact that the terms of the debate were almost exclusively those of Justice and Home Affairs Ministries (the migration control agenda) and that in order to move the agenda forward the terms of the migration debate had to be changed so as to include considerations concerning Europe's immigration needs. In other words, the migration debate had to be linked to the debate on Europe's socio-economic future. Consequently, it was important to further involve social affairs, employment, trade and industry ministries as well as NGOs active in this arena in the migration debates. To this end MPG prepared and published (in December 2002) an occasional paper that argues that the migration debate is about socio-economic interests and values, and consequently on socio-economic rights including those of migrants. The paper *Demographic changes and consequences for Europe's future - is immigration an option?* looks at demographic trends in Europe, spelling out their implications for labour markets, pension and health care systems and examining immigration as an element of sustainable policy responses. A very first draft of the paper was circulated among a limited number of officials and NGO and private sector representatives. It also served as a basis for a series of lectures MPG staff gave in many EU Member States. In 2002, MPG joined the Athens Migration Policy Initiative of the then incoming Greek EU Presidency, which aimed at broadening the EU immigration debates.

The foreign policy agenda

MPG also renewed its earlier efforts to have migration included in the EU foreign policy agenda, aiming to change the almost exclusive focus of EU concerns from re-admission agreements to a more inclusive agenda taking into account the concerns of developing countries which are countries of origin of migrants. MPG encouraged the ACP-EU Joint Assembly to take up migration issues and MPG was subsequently invited to give a keynote address at a special session of the Assembly in Capetown (2002). The European Commission prepared a Communication on migration and foreign relations and MPG worked with the Commission staff preparing the Communication (which explicitly refers to the Capetown key note address). MPG also worked with the EU Economic and Social Committee, in particular monitoring ECOSOC's EU-India Round Table, and encouraged it to look at migration issues. At a major event in the European Parliament (2003), MPG presented a paper on the link between migration and development. At the European Policy Centre-King Baudouin Foundation Migration Dialogues (October 2003) MPG presented the paper *Negotiating the liberalisation of migration. Is GATS a vehicle or a model for global migration governance?*

Monitoring and information exchange

The first years after the entry into force of the Amsterdam Treaty saw a tremendous surge of legislative activity at the European level relating to immigration and anti-discrimination (on anti-discrimination see below). MPG closely monitored the developments in Europe. The monthly publication, *The Migration News Sheet*, provides a wide range of actors with information on policy developments at the national and European levels in the areas of immigration and asylum, integration and anti-discrimination. There are around 600 subscribers (including NGOs, officials, lawyers and academics). They also receive MPG's occasional papers. MPG's website was renewed and substantially expanded in 2002 and it now includes a policy monitor on migration. MPG also reports on NGO activities in the migration and anti-racism fields in the quarterly *European Journal of Migration and Law* (of which MPG is co-publisher). MPG's advice is sought by officials and non-governmental actors, both at national and European level. MPG staff are regularly invited to speak at seminars and conferences and to write articles in scientific journals and other publications.

Promoting Dialogue

After a series of roundtables on the Amsterdam Proposals, organised in all Member States during 2000/2001, it became clear that much more debate was needed on the development of common European migration policies and that more stakeholders should be involved in these debates. Therefore, a second series of roundtables were organised during 2001/2002, which this time also included three accession states. In each country MPG worked together with 'co-hosts', which were stable organisations, well established and well connected with other relevant actors. During the roundtables, the idea of a continuous exchange of information and dialogue on migration issues was developed. Parallel interviews were conducted with European level organisations and with governmental officials involved in EU policy-making, focussing on their views on the role of non-governmental actors in the formation of EU migration policies. The report *Engaging stakeholders in the emerging EU debates on migration* established the feasibility of a more long-term mode of co-operation (published in mid-2002) and helped to prepare the setting up of the European Migration Dialogue. The European Migration Dialogue, established in 2002 and formally launched in Brussels in May 2003, is a partnership of independent organisations, with at least one from each Member State, three accession states and two associated states. They include: NGOs with a strong track record in human rights and advocacy work; think tanks, academic institutes and foundations that combine research activities with an interest in policies, and have links with civil society; service delivering organisations providing advice and support to migrants while being active in policy development as well; and coalitions of various stakeholders. MPG is the international partner and acts as co-ordinating agency. The European Migration Dialogue was developed in close consultation with members of the European Parliament and the European Commission. With these institutions the idea was developed to establish a EU budget line for enhancing debates on migration issues.

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Transatlantic co-operation

As part of MPG's ongoing transatlantic exchanges, MPG organised, with various US partners, transatlantic dialogue meetings on migration management and on diversity issues (see below). MPG's project 'EU and US approaches to the management of immigration' examined the allocation of competence in the field of migration in the EU and the US. In a one-year programme experts brought together by MPG identified the stakeholders involved in immigration management in all EU Member States, in four accession states and in the US. A report was published in 2003.

Outcome

The Amsterdam Proposals had a significant impact on the drafting of the official legislative proposals proposed by the European Commission and discussed in the Council of Ministers. Key elements and the wording of the official proposals show striking similarities with the Amsterdam Proposals. MPG's carefully prepared and widely distributed occasional papers influenced the drafting of official Communications and Parliamentary reports. MPG's other activities have helped to change the terms of the European policy debates on migration. The Thessaloniki Summit (2003) explicitly linked immigration to Europe's socio-economic development; the link between migration and international relations and development is also increasingly being made. Non-governmental actors in all EU member states are much better informed about EU decision-making processes and policy initiatives enhancing their capacity to act on the national and international level. The European Migration Dialogue is becoming a vehicle for co-operation among non-governmental stakeholders and between them and governmental agencies. Transatlantic co-operation provided examples of successful and less successful immigration and diversity policies. These activities contribute to the development of just and effective policies and increase the participation of key stakeholders in the design and implementation of policies, thus making European decision-making processes more transparent and democratic.

1.2 Anti-discrimination and diversity

Setting standards

The Starting Line Group's legal standards for an anti-discrimination clause in the EC Treaty and for EU anti-discrimination legislation had gained strong support from organisations across the European Union. The Amsterdam Treaty provided the European institutions with a mandate to act on racism and within a very short period proposals for two 'Equality Directives' were presented and adopted. MPG, acting as secretariat for the Starting Line Group, assisted members of the European Parliament and the Economic and Social Committee drawing up reports on the proposed legal measures which reflected the concerns of many non-governmental organisations and showed many striking similarities with the Starting Line. Once the Directives were adopted the Starting Line Group discontinued its activities. Its mission - to promote the design and adoption of legal EU anti-discrimination standards - had been accomplished.

Translating European standards into national law

Between 2001 and 2003 MPG partnered the European Roma Rights Centre (Budapest) and Interights (London) in a project entitled 'Implementing European Anti-Discrimination Law'. The project monitored the implementation of the European anti-discrimination standards as adopted by the Council of Europe and the European Union and its implementation at national level in 26 countries, namely the 15 EU Member States and 11 candidate countries (Bulgaria, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Romania, Slovakia, Slovenia and Turkey). Comparative research was undertaken by national experts to ascertain the extent to which these countries' laws complied with the EC Racial Equality Directive. 26 country reports were published (the 15 Member State country reports were published by the European Monitoring Centre on Racism and Xenophobia and the 11 candidate country reports were published by the project). The findings of these were summarised in a widely distributed publication *Racial, Ethnic and Religious Discrimination: a comparative analysis of national and European law* (2002).

The reports and the publication made clear which changes and adaptations to national law were required in order for individual states to comply with European standards. These publications were much-needed tools in the hands of stakeholders in the anti-discrimination debates. The country-by-country analysis and experience of the project partners in the field ensured the provision of legal expertise and strong advocacy in the field of anti-discrimination and the fight against racism and

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xenophobia in these 26 countries through regular exchange with all relevant actors on the national level (governmental representatives, specialised bodies, NGOs, local and regional groups, individuals, academic experts, trade unions, lawyers, judges, members of Parliament etc.) and with the EU institutions and the Council of Europe. A total of four workshops were organised in 2001, 2002 and 2003, namely in Sinaia (Romania), Prague (Czech Republic), Brussels (Belgium), Evia (Greece) and a fifth is scheduled to take place in Istanbul in 2004. At the request of the EU Commission's TaieX office, MPG staff regularly gave briefings on anti-discrimination to delegations from Eastern Europe.

Another series of reports were produced in 2003 covering 13 candidate countries, this time for the European Commission, together with MEDE European Consultancy. A comparative overview and summaries of these reports were prepared by MEDE and MPG and published by the European Commission in the publication *Equality, diversity and Enlargement* in 2003.

Independent experts and specialised bodies

Since 2002, MPG has managed a combined group of national independent experts on racial and ethnic discrimination and on discrimination on the grounds of religion and belief for the European Commission. It involves monitoring the transposition of the directives and analysing and assessing the effectiveness of anti-discrimination policies and practices. The independent experts are looking at the respective national situations with regard to the development of the policies and practices, the political debate and climate, and any changes in the law. In Autumn 2003 the experts each produced a short report of the situation in their country with regard to racial and ethnic discrimination, which have been published by the European Commission on their website. Similar executive summaries will be written and published for religion and belief in 2004.

MPG gave a keynote address at the Danish EU Presidency Conference on EU anti-discrimination legislation (2002), which set out what is required for making the law an effective instrument in the fight against discrimination and identified relevant actors. In 2002, MPG started to promote co-operation between some of these actors, namely specialised equality bodies across Europe. This led to a joint project with a number of these bodies, namely, the Netherlands Equal Treatment Commission (as lead agency), the Belgian Centre for Equal Opportunities and Opposition to Racism, the British Commission for Racial Equality, the Equality Commission for Northern Ireland, the Irish Equality Authority, the Swedish Ombudsman against Ethnic Discrimination and the Austrian Ombud for Equal Employment Opportunities. MPG acts as international partner and secretariat. The project 'Towards the Uniform and Dynamic Implementation of EU Anti-discrimination Legislation: the Role of Specialised Bodies' promotes the exchange of information and of good practice and facilitates networking between these bodies and those to be established in other countries. In this way the project will support legislation and policy development within the European Union through the improvement of knowledge and the strengthening

of the capacity of the targeted actors. It will also facilitate the development of integrated and co-ordinated co-operation across various grounds of discrimination within the European Union. A series of experts meetings organised in 2002 and 2003 examined a range of subjects relevant to the work of specialised bodies. The reports of these seminars are made available to a wider audience. These meetings were also attended by persons from old and new member states who are either working for existing specialised bodies or involved in the setting up of such bodies.

Diversity

At the request of the Council of Europe, MPG staff prepared the report *Diversity and cohesion: new challenges for the integration of immigrants and minorities*. The report is guiding the Council's work on integration issues and will assist member states across Europe to design and implement diversity and cohesion policies. The report was launched at a European conference hosted by the Belgian government (Namur, September 2000), and constituted the background document to the Council of Europe's 7th Conference of European Ministers responsible for Migration Affairs in Helsinki on 16 – 17 September 2002. MPG set up the Diversity Policies Network (DPN) as an informal network of policy-makers from like-minded countries dealing with issues related to the incorporation of immigrants into society and diversity as a result of immigration and the establishment of ethnic minorities. This project aims to facilitate the systematic exchange of information on policy developments in countries that are designing and implementing integration and diversity policies, provide a platform for exchanging successful and less successful practices, promote the development of joint initiatives and new approaches to integration and diversity, and assist governments in keeping these issues on the national and international policy agendas. The network is developed by way of project cycles. The first cycle started on 1 September 2000 and was concluded with a seminar in March 2002 in Brussels. Members were Australia, Canada, Denmark, the Netherlands, Norway and the United Kingdom. A second cycle commenced in December 2002 and was concluded with a seminar in September 2003. The members of the second cycle are Australia, Canada, the Netherlands, Norway, Sweden, Switzerland and the United Kingdom.

Supplier Diversity

From 2001 onwards, MPG consulted with representatives of companies from Europe and North America on supplier diversity issues, leading to the European Supplier Diversity Project, that aims to produce a strategy for the adoption of a European supplier diversity programme at the appropriate levels of the companies and public authorities, identify and engage potential under-represented supplier businesses and other stakeholders, design a European-wide communications strategy promoting the adoption of

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supplier diversity programmes by a wider group of companies and public authorities, and organise a training and mentoring programme for under-represented businesses. The group is designing a supplier diversity strategy for companies and the public sector. With MPG's US Partners five transatlantic exchanges were organised in Atlanta (2001), Brussels (2002), London (2002), Rotterdam (2002) and New York (2003). The founding corporate and public sector organisations include British Telecom, Goldman Sachs, Rabobank, Hewlett Packard, the Commission for Racial Equality and the London Borough of Haringey.

Outcome

The Starting Line proposals had a significant impact on the drafting of the official legislative proposals proposed by the European Commission. Key concepts and the wording of the official proposals show striking similarities with the Starting Line. MPG's occasional papers and other activities have subsequently helped to shift the attention from standard setting to implementing European standards at national level. Non-governmental actors in all EU Member States are much better informed about the contents of European anti-discrimination legislation and its potential to protect people against racism. Furthermore, MPG's work has assisted the cross-fertilisation of ideas and the development of networks among the different actors at the national level and transnationally. MPG's work on diversity with the private sector and with like-minded governments is innovative.

II The organisation

During 2001/2002 MPG underwent an internal and an external organisational review that was carried out by the independent organisation Compas. The external review showed that MPG's work is highly valued and many see MPG as well placed to continue playing a crucial role in the debates on international migration and mobility, and anti-racism and diversity. MPG's widely recognised unique role in the debates throughout Europe and its track record is based on its expertise and capacity to work and bring together a variety of stakeholders and to act at various levels. MPG is seen as rather successful in translating the concerns of those affected by migration and discrimination into policy proposals for governments, international organisations and the voluntary and business sectors. The stakeholders in the policy debates consulted in the review concluded that MPG is often ahead of the game and punching well above its weight. The internal review led to a series of recommendations for restructuring the organisation, which were carried out in 2002 and 2003. The changes in the organisation will enable MPG to meet higher expectations and new challenges in a more competitive environment of an increasing number of organisations dealing with migration issues.

MPG's team

MPG's Board members are diverse in terms of expertise and ethnic and national origin and they are selected on the basis of a board profile that guarantees this diversity. In the period covered by this report the following persons were Board members:

- Mr Dev Sharma, MPG's chair, former Chief Executive of the British Commission for Racial Equality and member of the EU Economic and Social Committee
- Ms Maij-Weggen, Member of the European Parliament (until October 2003), Governor in the province of Noord-Brabant (since October 2003)
- Mr Hermann Buenz, Director of the Warsaw Office of the Friedrich Ebert Stiftung
- Mr Einar Vetvik, Dean of the Diaconial Highschool, Oslo (board member until July 2003)
- Mr Thanasis Apostolou, Member of the Dutch Parliament (board member until November 2002)
- Mr Paul Ssemogerere, Former Ugandan Minister of Foreign Affairs (board member until 2001)
- Ms Carmen Claudin, Deputy -Director of Cidob (Barcelona)
- Mr Walter Schmid, Director of a High School for social work and vice-Chair of a Swiss governmental Commission on migration and integration
- Mr Jan Niessen, Director of MPG

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MPG's staff is multi-disciplinary, multi-lingual and of different national and ethnic origins. MPG works with around 40 independent experts (or rapporteurs) on various issues. In the period covering this report the following persons were staff members:

- Mr Jan Niessen, Director
- Ms Isabelle Chopin, Deputy Director
- Mr Antonio Cruz, Editor of the Migration News Sheet
- Ms Beth Ginsburg, Programme Director
- Ms Janet Cormack, Programme Officer
- Ms Yongmi Schibel, Programme Officer
- Ms Raphaelle Magoni, Research assistant
- Ms Karin Hunin, Office Manager
- Ms Julianne Funk-Deckard (until April 2002)
- Ms Claudia Pisanello (until October 2002)

MPG's sponsors

MPG receives the support from a variety of sponsors, including private foundations, governmental agencies and the private sector.

- Atlantic Philanthropies
- British Telecom
- Barrow Cadbury Trust
- Charles Stewart Mott Foundation
- Council of Europe
- European Commission (DG Employment and Social Affairs, DG Justice and Home Affairs)
- German Marshall Fund of the United States
- Goldman Sachs
- Hewlett Packard
- International Organisation for Migration
- Joseph Rowntree Charitable Trust
- Open Society Institute
- United Nations High Commissioner for Refugees
- Governmental Departments of Australia, Canada, Denmark, the Netherlands, Norway, Sweden, Switzerland and the United Kingdom.

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