



Final Conference of the Euromed Project on Migration and Public Services

Towards a high-quality reception of migrants

18-19 September 2012, Marseilles, France

Report

Introduction and Objective

The final conference of the Euromed study *Informing and Training Public Sector Union Representatives on Receiving Migrants* took place on 18 and 19 September 2012.

The project was funded by the European Commission and organised by INTERCO-CFDT France, in cooperation with EPSU and Spanish, Greek, Italian, Portuguese and Romanian trade unions.¹

The conference brought together around **50 union delegates** from five countries, along with representatives of the migrant support group CIMADE, European Public Administration Employers (EUPAE), the European Commission, two experts, Raffaella Greco Tonegutti from Italy, and Patrick Taran, President of Global Migration Policy Associates, plus the EPSU and PSI secretariats.

This was the fourth conference of the Euromed project on public services and migration, which commenced in 2010 (and has included conferences in Malaga and Bari and a seminar in Bucharest).

The main objective of this project has been to identify problems in the way in which the public services that are in direct contact with the immigrant population operate and to identify staff training needs on the basis of a survey conducted.

The underlying crisis affecting public sector workers and migrants

After welcoming the participants, **Yves Letourneux**, International Secretary of CFDT-Interco, noted a number of figures relating to France, a country which is home to 3.5 million foreigners, or around 8% of its total population, 42% of whom are originally from Africa and 40% from Europe. A large proportion of the immigrant population (40%) lives in the Paris region and a further 9% live in Provence Côte d'Azur, which includes Marseilles. Migrants' working conditions are often difficult, and alongside this there has been a general deterioration in public services.

Rosa Pavaneli, President of FP CGIL and Vice-President of EPSU and PSI, recalled the particularly difficult social and economic crisis that Europe is going through, and the inadequate response being offered by the governments and the EU, based primarily on budgetary austerity measures and violations of trade union rights and of people's right to work.

¹ The public services federations of CGIL, CISL, CCOO, UGT, ADEDY, STAL and PUBLISIND

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In this context, services for “foreigners” are often the first to be affected by salary and jobs cuts; for example, in Italy, public sector jobs have contracted by around 10%. In Greece, the number of public employees working in migrant services has fallen by 50%.

Migrants are also among the first victims of austerity policies. *“Instead of stepping up the fight against xenophobia and racism, our governments and the Commission are providing more resources for border controls. Some countries, such as Spain and Greece, are also reducing access to healthcare for migrants, particularly those who are undocumented.”*

At the same time, the number of bilateral agreements on the “repatriation” of migrants has increased, including to destinations not well-known for their respect for human rights; for example, the agreement between Italy and Libya is still in place. And yet, against a backdrop of crisis, there has been no significant increase in the number of migrants, in contrast to what was openly thought would be the case following the revolutions of the “Arab Spring” in 2011, in particular.

Since the resolution on immigration, introduced by the Mediterranean constituency to EPSU’s Congress in 2009, the spread of the crisis has, for the unions, reinforced the importance of addressing the issue of immigration policy and migrant rights, and this entails strengthening public services in Europe and around the world. It should be recalled that when governments begin to undermine human rights, the rights of migrants are often among the first to be affected.

The work of public sector employees cannot be limited to administrative and monitoring tasks, it can and must be viewed from a different perspective, involving listening skills, assessing needs and intellectual stimulation.

Public sector worker survey

Raffaella Greco Tonegutti presented the results of her report *“Receiving migrants: the perspective of public sector employees”*.

While the first survey conducted in 2010 focused on the point of view of different public service employees and the migrant users of those services, this new survey concentrated on working conditions in the reception and health services that are in direct contact with migrant users.

In all, 313 employees in the services in question, of which 75% were women aged between 36 and 45 years of age, participated in the survey in five countries: Spain, France, Greece, Italy and Portugal. It threw light on a number of globally alarming observations:

- a gradual deterioration in public services,
- very difficult working conditions, above all in the initial reception services, including a lack of equipment and inappropriate premises,
- exclusively quantitative efficiency criteria, to the detriment of service quality,
- a lack of adequate training and information with which to provide their public service mission,
- conflictual relationships with management resulting in what would seem to be an intentional climate of tension and mistrust, along with a hindering of the work and a devaluing of the skills of public workers.

Experience of the Bobigny prefecture

Staff in the Bobigny prefecture (Paris region) reception services shared their daily experiences, confirming a stressful working situation. This prefecture welcomes around 1,200 to 1,600 users per day. The service has impossible quotas that must be met, and there is a crying lack of mediators in the departments that consider applications for naturalisation, asylum and other services. Initial training on immigration policy and foreigners' rights is limited to two days. The offices are badly heated and have no windows; there is a high turnover of staff and a rate of sick leave such that the department is rarely fully staffed. The workers' skills are not valued, and are sometimes even ignored; for example, while they are allowed to talk to users in English, they are instructed not to talk to Arabic speakers in Arabic. One positive point, however, is that they form a united and supportive team.

For the migrants/users of the services, this results in *"partial and even incorrect information being given, to-ing and fro-ing between different departments, bad guidance with regard to the right to asylum, complex and costly procedures, long queues outside, sometimes at night, to the extent that the Interco union had to run a campaign for outside toilets and protected queuing areas"*. This degrading treatment of users can lead to aggressive behaviour towards public employees.

This contributes to a dehumanisation both of the public workers and the migrant users, who do not receive the necessary information on their rights.

Participants from Spain and Portugal confirmed that public services are deteriorating in their countries, that an exclusively quantitative efficiency is being imposed, that there is a lack of training and information on migrant rights and immigration legislation, along with a scarcity of intercultural mediators and interpreters and bad coordination between the different departments. They also complained of a lack of trust between staff and management, which even led to a reluctance among staff to participate in the project survey for fear of reprisals.

The Venetian services (which report directly to the police) provide a more encouraging outlook, with the obligatory presence of interpreters and cultural mediators, who clearly improve the quality of the service and enable a better assessment of and response to the needs. The unions recently conducted a campaign to keep their premises in an historic building because *"foreigners also have the right to something beautiful"*. With regard to training, the example of Venice has also placed the spotlight on the transmission of knowledge and skills between colleagues.

CIMADE's experience

CIMADE is an NGO that was created in 1939 by the French Resistance and which works to defend the rights of migrant citizens, whether in a legal situation or not, in close cooperation with migrant networks. **Mrs Rocheteau** denounced the current system for managing migration, stating that its intention was to disrupt and dehumanise the services and, consequently, also the users.

First of all, it was noted that the migrants shared the observation of staff from the Bobigny prefecture that *"the problem lies not with the foreigners nor with the public workers but with immigration policies, which change frequently (in France there have been no less than 40 laws amending immigration policy since 1945) and which complicate and hinder a migrant's already difficult journey."*

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CIMADE advocates for a public ethos and believes that the defence of migrant rights should not be left, at best, to lawyers and public writers and, at worst, to private agencies or mafia-like networks. It advocates for an outreach service by means of “initial reception” services in the sub-prefectures.

In conclusion, good cooperation between migrant users, unions and NGOs can help to improve public services and lead to a better assessment of the needs of both immigrants and the staff handling their cases.

Workers’ rights, migration policy and the impact of the crisis

The discussion led by Patrick Taran placed the issue of immigration in a complex international context of the division of labour and a migratory movement involving around 3% of the global population (214 million), of which 37% are from the developing world.

This context is also one in which work is being deregulated and working conditions and public services degraded. These trends are not caused by a simple malfunctioning of the public administration but demonstrate a structural desire to transform these public services into “non-services”. The crisis has exacerbated these trends, especially as government measures also include rolling back union rights (Greece, Spain, and Portugal).

The impact this has on migrant rights is reflected in their restricted access to rights and in selective immigration measures - more rights for more specialised workers and fewer for the less specialised.

During the discussion, it was recalled that it is impossible to separate migration policy from social policy and access to decent employment. *“Decent treatment of migrants in the public services is dependent upon decent immigration policies”*. This is why immigration policy should primarily be the responsibility of the Ministry of Social Affairs and Employment and not the Ministry of the Interior.

For both economic and demographic reasons, and despite a backdrop of growing unemployment, Europe needs its immigrant population. Some sectors, such as social services and health, now rely largely on female migrant labour.

It should also be recalled that 90% of illegal immigrants initially arrived in Europe legally (visa, work or travel permit now having expired).

Consideration also has to be given to the causes and consequences of this emigration back home, in particular the very low salaries, such as in the Romanian healthcare sector, which are causing not only a brain drain but also chronic under-investment in those services. This perspective is relevant for southern Europe, where youth emigration is escalating fast in the face of mass unemployment, particularly among young people (40% of the young active population in Spain).

The unions’ proposed responses were recalled, in particular that of using the tax system to provide quality public services to migrants according to this sector’s needs and basic right to a decent life - access to housing, health, a healthy diet. A minimum income must be guaranteed to those who have no salary or other resources.

Proposals for strengthening the union role at national and European level

The priority is to combat all forms of worker exploitation, along with racism and xenophobia and the criminalisation of migrants, and to ensure access to a decent job and other civil rights. The public service unions are also a key partner in terms of improving these services and ensuring that immigration policy is based on the fundamental rights of migrants and workers. A certain number of recommendations were made during the conference, some of which had already been raised previously:

- Promote **better governance of public services**, in particular:
 - ✓ Bring the European framework closer into line with the international framework for protecting the rights of migrant workers and their families and the ILO standards applicable to migrants.
 - ✓ Provide an outreach service, decentralised down to the local administration and accompanied by sufficient resources. Decision can continue to be made at national level but cases should be handled as close as possible to where the people live.
 - ✓ Simplify immigration laws as the current complexity is a problem both for public employees and for migrants/users. The way in which information is exchanged between different public departments dealing with migrants and the way in which access to data is provided (system computerisation) is another challenge.
 - ✓ Ensure better access to procedures for recognising qualifications.
 - ✓ Define a code of ethics for the public services: what constitutes a decent public service for migrants? What constitutes a decent job in the public services? We need to draw up (or revive) a common position that can be held in relation to the employers at the negotiating table. Although services for foreigners are supposed to respond only to a time-limited need, given that migrant workers are not “migrant” all their lives and are subsequently able to access public services, the fact remains that these services need attention and the necessary resources such as specialist staff, cultural mediators and interpreters.
 - ✓ In cooperation with the immigration population and NGOs, put pressure on the public administrations to guarantee and update public sector worker training and provide correct information to users on the way these services operate and on migrant rights, in the languages most commonly used by the immigrant population.
- Better disseminate and strengthen the Economic and Social Council's immigration policy based on equal treatment at work, insisting on how unions can work together and incorporating the PSI's and EPSU's demands for quality public services and a migrant reception policy.
- Continue to implement EPSU's resolution on immigration through policy positions and actions such as the code of conduct on ethical recruitment negotiated by EPSU and Hospeem in the hospitality sector.
- Aim to build “more solidarity” by including the countries of the southern Mediterranean coast, in cooperation with PSI.

Round Table with the European Commission and EUPAE

Mr. Champigneul, representing the European Commission in Marseilles, summarised the EU's legal framework on immigration, a responsibility which is shared with the governments and, since the Lisbon Treaty, in co-decision with the European Parliament. It comprises four main areas: legal, migrant integration, combating illegal immigration, and cooperation with countries of origin, particularly by means of bilateral agreements with, for example, Morocco and Tunisia. The legal framework consists primarily of six directives: blue card for qualified workers; students; researchers; single permit; family reunification; rights of non-community nationals living legally in the EU.

The Commission *"is maintaining a positive approach to immigration, which must be seen not as a one way process but circular"*. Despite unemployment, jobs remain vacant in different sectors, including health and social services, and immigration is one way of responding to this.

Mr. Leroy, President of EUPAE and Managing Director of the Belgian Federal Public Service, did not share the unions' assessment nor the Commission's rosy presentation. He emphasised that training is a worker's right and duty, and that s/he also has the right to receive support from his/her manager, who must ensure an efficient service, measured against good indicators. *"The measure of efficiency can never be limited to the number of cases handled per day"*.

As an employer, Mr. Leroy considered that it was not his role to comment on immigration policies. Looking merely at the issue of administrative simplification, it can be seen that the frequent requirement to renew residence permits imposes a heavy burden on the public administration. *"The role of employers is primarily to deal with working conditions; as a central administration, one sees the paradox of providing a service to citizens and yet sometimes having to say no to them"*.

Mr. Devos, CSC public services and President of TUNED, the union delegation coordinated by EPSU for the European social dialogue within State administrations, acknowledged that there is a need to distinguish between migration policy and the role of the social partners in working conditions, but that the two are closely linked. He emphasised the right of unions to obtain information and be consulted on Community policies concerning public services.

He called on employers *"to place the issue of ethical recruitment of migrant workers on the national and European social dialogue agenda. The European social partners' hospital code of conduct on ethical recruitment is a good example to follow and one that should be better applied"*.

Mrs. Salson, EPSU, recalled the Commission's role in reducing public budgets, which has an impact on working conditions in the public services and on reception and integration policies for migrants. Community immigration policy, *"Is increasingly fragmented, encouraging competition for qualified labour, in part working legally, and less qualified labour whose situation is not regularised. We are facing a complex hierarchy of worker-migrant rights which runs counter to the basic union principal of equal treatment"*.

In the health and social services sector, a link can be observed between public investment and the rate of emigration from a country. It is important in this regard both to better manage the migration of qualified health workers and to improve the living and professional working conditions in their host and feeder countries. The agreement on ethical recruitment in hospitals will enable the risks of exploitation by unscrupulous employers to be limited and can also reinforce methods of public action, in particular

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work inspectors. A recent EPSU report indicates that the social partners in ten or so EU countries have implemented this agreement.

During the discussion, it was recalled that the unions are involved in how immigration policies are applied: delays and malfunctioning in bureaucracy can create illegal immigrants and so they must take some direct responsibility. There is still margin for manoeuvre on the part of public workers in terms of applying rules / laws and decision-making as all administrative decisions have to be justified: they therefore need sufficient information, training and working time to be able to reflect, given that their decisions have direct consequences on the lives of other human beings.

Perspectives of the PSI

In the afternoon, **Mrs Gencianos**, head of the PSI's International Migration and Health Sector Workers Programme, presented the PSI's activities, reaffirming the key role of the unions in the struggle to improve working conditions and services whilst promoting equal treatment and the active involvement of migrants in society.

She also drew attention to the link between public service quality and respect for migrant rights, including their access to economic, social and cultural rights. The unions must continue to study this link between the ill-treatment of workers and the bad quality of services and clearly publicise the alternative offered by the unions.

The PSI also works locally, in partnership with affiliates, particularly in Ghana, Kenya and South Africa, where specific projects have led to improved salaries, thus reducing factors encouraging emigration. The PSI supports a positive approach to immigration but this is no substitute for a true policy of public service jobs and development. *"This is why the PSI is opposed to circular migration"*.

Conclusions and follow-up

The unions are taking multiple actions, both on a national, European and international level: collective bargaining for better working conditions, campaigns in defence of migrant rights and for quality public services and for a simplified and humane immigration policy. It should be recalled that the best way of combating illegal immigration is to provide legal immigration. The instruments developed at European level, such as the code of conduct on ethical recruitment mentioned above, also need to be better promoted and publicised at national and European levels.

This conference report will be distributed to EPSU affiliates and presented to the relevant structures of EPSU, including to the NEA (national administrations) committee on 23 October and to the Executive Committee.

The survey will shortly be finalised and translated into various languages (English, Italian, Portuguese, and Romanian). Participants are asked to distribute and share the survey results with their members and with workers in the relevant services. Consideration must also be given to combining the first and second surveys in order to produce a full report of the last three years of the Euromed study.

The work of the Euromed study over the last three years should also be disseminated to all regions of the EPSU.

We would like to thank all the participants for their contributions and the international department of

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Rafaella Greco Tonegutti (researcher) and Nadja Salson (FSESP/EPSU)

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This report and other documents are available from www.migration-euromed.eu &
<http://www.epsu.org/r/551>