Parliamentary Assembly
Assemblée parlementaire
https://pace.coe.int

COUNCIL OF EUROPE
CONSEIL DE L'EUROPE

Recommendation 1774 (2006)[1]

The Turkish presence in Europe: migrant workers and new European citizens

Parliamentary Assembly

1. Sustained migration of Turkish workers to Europe began with the first bilateral agreement signed between Germany and Turkey in 1961. At that time, this involved contract workers, pursuant to agreements concluded between Turkey and the host countries, coming chiefly from rural areas in Turkey. Since then, other industrial countries in Europe (namely Austria, Belgium, France, the Netherlands, Sweden, Switzerland and the United Kingdom) have attracted Turkish workers.

2. The Turkish migration to western Europe continued in the 1970s as a result of family reunification or political asylum. The more recent period between 1989 and 2006 has been characterised by a decline in the number of cases of family reunion, which have given way to marriages between so-called "second generation" immigrants and Turkish nationals. The current decline in emigration from Turkey is also due to a considerable decrease of asylum seekers and the search for new economic opportunities in the region of the Commonwealth of Independent States and the Middle East.

3. The number of Turkish migrants living in the principal host countries of Europe remains stable or is slightly but constantly declining (in Germany, for example) or rapidly declining as a result of acquired citizenship (in Belgium). New immigration countries have emerged, such as Italy, Spain and Finland. In total, around 3 million Turkish migrants are currently living in Europe and around 1.2 million have acquired the nationality of their host country.

4. The level of integration of Turkish residents of first, second and even third generation has been the subject of intense political debate and even controversy in a number of member states. Until the mid-1980s, both Turkey and the host countries always considered Turkish immigrants to be guest workers (*Gastarbeiter*) who would eventually return to Turkey. This very widespread idea gave the debate on integration the wrong bias from the outset, so that the host countries have not made a commitment to an integration policy.

5. The Parliamentary Assembly considers that the strong social and cultural identity of Turkish migrants and European nationals of Turkish descent should not be perceived as a barrier to full integration. Turkish migrants' role in fostering cultural and economic links with Turkey represents an opportunity and not a threat to further European integration.

6. Multiple and substantial bonds between Turkish migrants and European citizens of Turkish origin with Turkey are not only characterised by economic dynamism and cultural wealth, but also reflect the transmission of European values towards the positive evolution of Turkish democracy and respect for the rule of law and human rights, very well exemplified by Turkey's prospects of accession to the European Union. The substantial Turkish caseload at the European Court of Human Rights is a prime example, with a growing readiness and awareness of complainants of their rights under the Convention.

7. Integration is inevitably a two-way process, requiring mutual respect and sustained effort between the host society and the immigrant population and their descendants, in order to attain a common life free from tensions. While the authorities and population of the host country must assist in migrants' reception and

1. *Text adopted by the Standing Committee*, acting on behalf of the Assembly, on 17 November 2006 (see Doc. 11083, report of the Committee on Migration, Refugees and Population, rapporteur: Mr Gülçiçek, and Doc. 11097, opinion of the Social, Health and Family Affairs Committee, rapporteur: Mrs Pehlivan).

economic, social and cultural integration, guarding them against all forms of discrimination, the migrant population, helped by the authorities in the host country, must on the other hand make every effort to conform to the customs of the host society – learning the language, respecting the customs and codes, abiding by the law and regulations.

8. Numerous inequalities in treatment have to be addressed which are often associated with casual work, irregular employment, education and professional training, retirement benefits and social security coverage, family regrouping, returns, transfer of remittances, free movement and the issue of multiple nationality.

9. The Assembly therefore recalls the basic principles and rights enshrined in the instruments of the Council of Europe – adopted with a view to ensuring economic and social development while realising and maintaining human rights and fundamental freedoms without any discrimination with regard to, *inter alia,* race, colour, sex, religion and political opinion. Reference in this respect is made, in particular, to the European Convention on Human Rights (ETS No. 5) and its protocols, the revised European Social Charter (ETS No. 163), the European Convention on the Legal Status of Migrant Workers (ETS No. 93), the Convention on the Participation of Foreigners in Public Life at Local Level (ETS No. 144), the European Code of Social Security (ETS No. 48) and the European Convention on Social and Medical Assistance (ETS No. 14). It also refers to the United Nations International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, which has been ratified by Turkey.

10. The Assembly is concerned that national policies and practices regarding migrant workers and their families, including migrants from Turkey, fall increasingly short of meeting international legal standards.

11. In view of the above, the Parliamentary Assembly recommends that the Committee of Ministers:

11.1. strengthen the monitoring mechanisms of the Council of Europe's legal instruments, particularly the monitoring of provisions relating to the rights of migrants such as Article 19 of the revised European Social Charter;

11.2. introduce more effective sanctions for non-compliance;

11.3. call on the member states:

11.3.1. to sign, ratify and implement, where appropriate, the relevant Council of Europe legal instruments, namely the European Convention on Human Rights and its protocols, the revised European Social Charter, the European Convention on the Legal Status of Migrant Workers, the Convention on the Participation of Foreigners in Public Life at Local Level, the European Code of Social Security and the European Convention on Social and Medical Assistance;

11.3.2. to involve migrant associations in the monitoring process and remove, where applicable, obstacles hindering their involvement;

11.3.3. and more specifically:

11.3.3.1. to develop proactive policies to combat discrimination and intolerance;

11.3.3.2. to facilitate access to information and access to migrant workers' rights in practice;

11.3.4. with regard to delivery of work permits and resident permits:

11.3.4.1. to apply reasonable time limits in delivering such permits, within six months;

11.3.4.2. to limit work and residence permit fees to administrative costs not exceeding the equivalent fees for issuing passports to nationals;

11.3.4.3. to guarantee automatic resident status to children of holders of work or residence permits;

11.3.4.4. to cease ordering immediate expulsion from the country upon expiry of the work or residence permit;

11.3.4.5. to guarantee automatic residence of an unlimited period to migrant workers who have remained legally for a continuous duration of more than five years;

11.3.5. with regard to social security and health insurance:

11.3.5.1. to guarantee rights to residents equal to those of nationals;

11.3.5.2. in the case of voluntary return, to guarantee equal rights to those of nationals with regard to transfer of social security and health insurance;

11.3.6. with regard to education:

11.3.6.1. in co-operation with the country of origin, to promote education in the mother tongue in parallel to mainstream education;

11.3.6.2. to avoid the segregation of migrant children in special schools;

11.3.6.3. to provide equal education and career opportunities for migrant children, avoiding their seclusion in specific low-skill and low-wage branches of the economy;

11.3.6.4. to organise teaching of the host country's language for migrant workers and their families, particularly at local level and as far as possible free of charge, by means of personalised, practical courses focused on the main centres of interest in their lives, as well as instruction, suited to the specific needs of immigrant women, in rules of law and fundamental democratic values including gender equality, and ensure that the effectiveness of these arrangements is evaluated;

11.3.6.5. to devise specific training courses for primary teachers on the theme "How to live in a multicultural society/How to live with diversity?", and make provision in primary education for lessons on the same theme for pupils (both of foreign origin and nationals);

11.3.7. with regard to employment in both the public and private sectors:

11.3.7.1. to remove obstacles to equal access to employment and career advancement;

11.3.7.2. to take measures to fight discrimination and exclusion at work, particularly through the introduction by employers of workplace diversity plans (possible content being the nomination of a manager in charge of such matters as diversity, anonymous job applications and quotas), and through more active engagement of trade unions in defending migrant workers' rights;

11.3.7.3. to take measures to increase migrant workers' access to professional training, particularly for those self-employed;

11.3.8. with regard to integration:

11.3.8.1. to develop policies to encourage the active participation of migrants in the social, cultural, economic and political life of the host country;

11.3.8.2. to remove obstacles to migrants' rights of association in order to protect their social, economic and political rights, namely through their active participation in associations, trade unions, political parties and elections;

11.3.8.3. to allow dual nationality as a means of increasing the level of integration while ensuring cultural diversity and links with the country of origin;

11.3.8.4. to take measures encouraging respect of diverse cultures and religions as an essential factor for social stability and peace.