

CHAPTER FOUR

Diversity and cohesion: Migrants in society

Migrants and citizens of destination countries should respect their legal obligations and benefit from a mutual process of adaptation and integration that accommodates cultural diversity and fosters social cohesion. The integration process should be actively supported by local and national authorities, employers and members of civil society, and should be based on a commitment to non-discrimination and gender equity. It should also be informed by an objective public, political and media discourse on international migration.

1. International migration is increasing not only in scale and speed, but also in terms of the number of countries and the range of people involved. Throughout the world, people of different national origins, who speak different languages, and who have different customs, religions and patterns of behaviour are coming into unprecedented contact with each other. As a result, the notion of the socially or ethnically homogeneous nation state with a single culture has become increasingly outdated. Most societies are now characterized by a degree (and often a high degree) of diversity.

2. The intermingling of people from different countries and cultures presents both opportunities and challenges. In terms of opportunities, there is evidence to suggest that diverse societies and communities can be socially dynamic, culturally innovative and economically successful. This is particularly apparent in the emergence of 'global cities', highly cosmopolitan urban areas that accommodate large numbers of migrants, allowing them to be well placed to capitalize on the new trading, investment and business opportunities opened up by the process of globalization.

3. Many people, especially younger generations, consider such cities to be the most interesting and vibrant places to live in. While international migration may be driven to a significant extent by economic considerations, many people choose to move abroad in order to experience new places and cultures, to adopt a different lifestyle or to link up with members of their family or community who have migrated in the past.

Migration and social diversity

In 1970, international migrants accounted for more than 10 per cent of the population in 48 countries. By 2000, this number of countries had risen to 70.

4. The diversity that has resulted from international migration has also created some important challenges, especially in the degree of social cohesion in host communities. All societies are characterized by conflicting value systems and competition for resources, and it would be wrong to suggest that migration brings tension to communities that would otherwise be per-

fectly harmonious. Even so, it is clear that migration can have powerful and emotional human consequences, both among migrants themselves and among members of the host society.

5. As stated in Chapter Three, migrants are often viewed with suspicion by other members of society, especially when those migrants arrive in substantial numbers, when their presence is not authorized and when they appear to compete with citizens for public goods and services. These challenges have been reinforced by developments in the international political environment. In parts of the world, certain politicians and media outlets have found it easy to mobilize support by means of populist and xenophobic campaigns that project systematically negative images of migrants.

6. As a result of violent events involving foreigners and members of ethnic minorities in cities such as New York, Madrid, Amsterdam and London, public concerns about international terrorism have cast further suspicion on migrants and have fuelled the growth of anti-Muslim prejudice. In some instances, migrants themselves have compounded these problems by failing to respect the rule of law or trying to understand the values of the countries to which they have moved. Governments have a particular responsibility to counter such trends, and must take active steps to ensure that all members of society, citizens and migrants alike, are active and equal participants in the life of the country in which they live.

State policies and practices

While recognizing the right of states to determine their own policies in relation to the situation of migrants in society, all migrants must be able to exercise their fundamental human rights and benefit from minimum labour standards.

7. International migration often entails the movement of people whose social, cultural and ethnic backgrounds and characteristics are different from those of most people in the society they are joining. Destination countries have traditionally dealt with this situation in a number of different ways. One has been to exclude migrants (especially temporary contract workers and asylum seekers) from society, ensuring that they have no prospect of integration. Another has been to insist that migrants abandon their own culture and assimilate into the majority way of life. A third has been to pursue policies that enable all members of society, including migrants and nationals, to express their own culture and beliefs, on condition that they remain within the rule of law and subscribe to a set of common social values.

8. States have a right to determine their own policies with respect to the situation of migrants in society, but in doing so must ensure that such policies are consistent with international human rights principles to which most states have formally agreed. The Commission underlines the need for states to ensure that all migrants – including those who have no prospect of integration or long-term residence in their country of destination – are able to exercise all of their fundamental human rights. This includes, for example, freedom of peaceful assembly, of opinion and of religion. The Commission also considers it essential for all migrants to enjoy the minimum labour standards guaranteed under relevant ILO Conventions, while recognizing that this objective might be difficult to achieve in countries where many nationals are currently deprived of such rights.

9. Ensuring that migrants are able to live at ease in the society they have joined is not simply a question of human rights principles, but is also a question of mutual interest and benefit.

Migrants who are accepted and respected by other members of society are best placed to fulfil their potential and to contribute to their adopted country. Social cohesion provides migrants and citizens alike with a sense of security and common purpose, and is an important component of economic success.

Integration and marginalization

Authorized and long-term migrants should be fully integrated in society. The integration process should value social diversity, foster social cohesion and avert the marginalization of migrant communities.

10. There has been a tendency in some countries for migration and integration policies to be formulated and implemented in isolation from each other, even though they are part of a continuum. Social cohesion is most effectively maintained by promoting a process of integration, especially in those situations where new immigrants are expected to become permanent or long-term residents of the country to which they have moved. The Commission considers integration to be a long-term and multi-dimensional process, requiring a commitment on the part of both migrants and non-migrant members of society to respect and adapt to each other, thereby enabling them to interact in a positive and peaceful manner. Integration recognizes and accommodates differences, but requires a sense of common belonging amongst nationals and migrants alike.

11. In a number of countries around the world, integration has been particularly successful, enabling migrants to make important contributions to the economic, social and cultural development of the societies in which they have settled. Indeed, historical evidence suggests that interna-

tional migration has been one of the most dynamic forces in the development of contemporary states and societies, including many of those with a record of economic success.

12. At the same time, the Commission notes that integration has proven to be a more problematic process in some of the countries that have significant migrant and minority populations. While it is difficult to generalize on this issue, evidence analysed by the Commission indicates that in many countries, first-generation migrants suffer disproportionately from physical, mental and reproductive health problems, that they have lower educational attainments than nationals and generally live in poorer quality accommodation. Migrants also tend to occupy low-wage and low-status jobs and are more likely to suffer from long-term unemployment than other members of society.

13. Such negative migration outcomes arise from a variety of different factors, including discrimination in the labour and housing markets, the inability of migrants to gain equitable access to education and health care, xenophobia and racism, as well as low educational levels, limited language skills and the irregular status of significant numbers of migrants. In general, the children and grandchildren of migrants fare much better than their predecessors in terms of their socio-economic status. Indeed, the upward mobility of many migrant children is one of the most positive aspects of international migration. At the same time, it has become clear that citizens who originate from migrant families can become deeply and violently alienated from the society in which they live, even if they have attained a good level of education and income.

Migrant marginalization

14. In the absence of effective integration, destination countries will not be able to capitalize upon the contribution that migrants can make to society. The Commission underlines the need to ensure that migrants are able to achieve their potential and meet their aspirations, and points out the dangers associated with the exclusion and marginalization of migrants and the children of migrants. The growth of disadvantaged and segregated migrant communities is likely to have a high social and financial cost. It may furthermore have implications for public security and could also lead to other members of society feeling threatened by their presence.

15. The risk in such situations is that members of migrant and minority populations may retreat from society and look for militant ways of expressing their frustration and asserting their identity. Such scenarios not only represent a threat to public safety and the rule of law, but, by provoking negative attitudes towards migrant communities, also place new obstacles in the way of integration and social cohesion. All of the stakeholders concerned – migrant communities, civil society institutions, national and local government as well as the private sector – stand to gain by working together in an effort to avert such negative outcomes.

Elements of integration

A study prepared by the UN Population Division concluded that the integration of migrants in host societies depends primarily on their command of the national language, their ability to find reasonably paid work, their legal status, participation in civil and political life, as well as their access to social services.

A coherent approach to integration

Local and national authorities, employers and members of civil society should work in active partnership with migrants and their associations to promote the integration process. Migrants should be properly informed of their rights and obligations and encouraged to become active citizens in the country to which they have moved.

16. There is no simple or single blueprint for the effective integration of migrants in society, although the best examples of integration seem to take place in countries where there is a broad degree of consensus on the issue of immigration amongst political parties. The process of integration occurs primarily at a local level, and the policies that are employed to promote that process must therefore be situation-specific, and take into account the precise circumstances and characteristics of both migrants and other social groups. Moreover, many states are unable to meet the needs and demands of their own citizens. It is therefore not easy for them to give a high priority to the situation of migrants. Indeed, nationals may react in a negative manner if they feel that scarce public resources are being used for such a purpose.

17. While a uniform approach may be inappropriate, the experience of societies where the process of integration has been relatively successful has led the Commission to conclude that a coherent approach to integration is required, incorporating the elements set out below.

Transparency and the rule of law

18. Migration and refugee policies which are not fair, transparent, openly debated and consensually grounded are likely to generate suspicion and resentment amongst the citizens of destination countries, thereby impeding the integration

process. Governments must explain to the public why they are admitting migrants and refugees, how many are being admitted and what support they will receive from the state. More generally, states that admit long-term or permanent settlers to their territory must recognize that it is in the best interest of migrants and citizens alike to invest in the integration process.

19. A coherent integration policy must be based on respect for the cultural differences that migrants bring with them. Such respect is essential for a number of reasons: first, a dialogue between different cultures is a healthy phenomenon; second, new cultures bring new skills, sources of energy and forms of expression to a society; and third, migrants must be able to retain their self-respect so they do not feel besieged and threatened. This does not mean that the culture of migrants is above criticism. Indeed, cultural practices that conflict with international human rights instruments and the rights of other people can legitimately be prohibited.

20. States have a responsibility to provide authorized migrants with a secure legal status and appropriate documentation, and to ensure that they can exercise all of their human rights. States must uphold the rule of law and migrants who challenge the rule of law must expect states to take firm action against them. States must take equally firm action against any elements in society that seek to abuse, intimidate or exploit migrants. Unless these basic objectives are achieved, integration will be problematic.

Anti-discrimination activities

21. State authorities at both the national and local level should support the objective of integration by publicly confirming their commitment to integration and by acknowledging the contributions that migrants make to society. States

should respect the International Convention on the Elimination of All Forms of Racial Discrimination, which has been ratified by more than 175 governments, promoting and practicing the principle of non-discrimination by setting a positive example to society in the way they conduct their affairs. In many countries, for example, governments are the largest employers, the largest service providers and purchasers of goods and services. It is consequently essential that they take a strong lead in terms practising and promoting progressive recruitment and diversity policies, as well as the extent to which they engage with migrant and ethnic enterprises in their procurement policies.

22. Private sector companies, especially those that are large, prestigious and influential, should act in a similar manner. Those employers who have made an explicit commitment to progressive goals such as non-discrimination, migrant integration and gender equity are to be commended. Other companies should replicate such practices and become members of the UN's Global Compact, which commits participating organizations to 10 basic principles, including the principle that "businesses should uphold the elimination of discrimination in respect of employment and occupation." Those enterprises which are able to draw on the talents of a diverse workforce are best placed to capitalize upon the opportunities created by an increasingly competitive and globalized economy.

Celebrating Canadian diversity

According to the most recent Canadian census, 37 per cent of Vancouver's population belongs to communities coming from countries in regions other than Europe. In July 2005 the city held its first Diversity Festival, enabling all ethnic and cultural groups to tell their stories through music, food, dance, poetry, art and sculpture.

23. Discrimination must be countered by establishing and implementing appropriate laws, especially in areas that have a direct impact on the potential of migrants to succeed in their new society, such as employment, housing and education. There is a particular need to ensure that representatives of the state, such as the police, judges, immigration officers, civil servants and medical personnel receive the training required for them to have an understanding of migrant cultures and to treat nationals in a non-discriminatory manner.

Active citizenship

24. Effective integration requires migrant and minority populations to be properly involved in the political process. There is a particular value in giving local voting rights to authorized and longer-term migrants. The Commission underlines the importance of ensuring that migrants who are admitted for permanent settlement have speedy and affordable access to citizenship.

25. As a result of the globalization process and the growth of transnational communities, established notions such as citizenship and the nation state are being redefined. In future, it seems likely that a growing number of people will have more than one nationality, will identify with more than one culture and will divide their time between more than one country. This development presents some difficult challenges, but also some important opportunities for states and societies that admit migrants.

26. To promote active citizenship, migrants should ideally be provided with a clearly written statement of their rights and obligations when they are admitted to a country, thereby encouraging them to become active citizens from the earliest possible moment. Migrants who do not speak the official language or languages of their

adopted society will find it particularly difficult to become active citizens, and the acquisition of appropriate language skills must therefore be considered as a basic obligation of long-term and permanent migrants. Equally, states that admit migrants to their territory should invest in the integration process by assisting those who do not speak a local language to acquire such skills.

Support and dialogue

27. Integration and social cohesion can also be promoted by providing targeted support and services to migrants, especially in the key areas of employment, skills training and language training. The Commission recognizes that many states lack the capacity to provide such services. It therefore suggests that capacity-building programmes and projects supported by international funding be established to support the integration process. States should also enter into agreements with regard to the mutual recognition of qualifications, so as to ensure that migrants are able to practice the skills they have gained in their own country.

28. Given the multidimensional nature of integration, there is a need for coherence and coordination between governmental bodies dealing with issues such as health, education, social welfare, employment and law enforcement. In each of these areas, steps can be taken to ensure that migrants have equitable access to public services by means of outreach and information programmes and the provision of translation services.

29. Integration is most effective in the workplace and the school. It is in these community-based contexts that migrants and other members of society can most readily develop a sense of mutual respect, establish friendships and pursue common objectives. Unless integration is

fostered at this level, one cannot expect more ambitious and centralized initiatives to have their intended effect.

30. The Commission also underlines the importance of promoting educational programmes, inter-cultural and inter-faith dialogues in diverse communities, so as to dispel the myths and misunderstandings that may exist between different social groups. Civil society institutions, including churches, mosques, temples and other faith-based bodies, have a leading role to play in such activities. The integration process should also be fostered by means of international and inter-faith dialogue; a good example is the Euro-Mediterranean Partnership Barcelona Process, which promotes “rapprochement between peoples through a social and human partnership, aimed at encouraging understanding between cultures and exchanges between civil societies.”

Participation and representation

31. Most migrants are characterized by an entrepreneurial spirit and are motivated by a determination to succeed in life. It is essential to foster such vitality and to ensure that migrants themselves are full participants in the process of integration. The Commission consequently calls on national and local authorities to ensure that migrant associations and migrant women’s groups, as well as the religious bodies and civil society institutions which work most closely with migrants, are effectively involved in the formulation and evaluation of policies and programmes that are intended to promote integration.

32. At the same time, the Commission recognizes the difficulties associated with this approach. Migrant populations are themselves increasingly diverse and are often divided along national, ethnic, ideological, religious and generational lines. Migrants from the same country

and culture may also be divided into a relatively small number of highly-skilled and well-paid professionals, and a much larger number of people who are clustered at the bottom end of the labour market.

33. In this context, determining which individuals and organizations are sufficiently representative to speak on behalf of other migrants can be problematic. In many situations, moreover, the most powerful and articulate migrant representatives are men, who may have a vested interest in retaining cultural practices that preserve their own power and which disregard the interests and preferences of women and children.

Migrant obligations

34. In some situations, the individuals and organizations that claim to represent a migrant or minority community are opposed to the very notion of integration because they have rejected the values and the culture of the society in which they are living. The Commission recognizes the danger of this scenario, and calls on all migrants to respect the obligations they assume when they are admitted to other states, especially the obligation to desist from any activity which poses a threat to public order, which is in violation of the law and which infringes upon the rights of other people.

35. States have a responsibility to ensure that migrants are familiar with the laws, customs and values of the society they are joining, while migrants have a responsibility to respect them. If migrants feel that they are unable to live within the law and constitution of their host country, they should consider leaving it or, once they have acquired citizenship, campaign for political change through peaceful and democratic means. Integration will be impeded if some migrants are fundamentally opposed to the values of the soci-

ety in which they live, and if some citizens refuse to acknowledge the legitimacy of the migrants' presence.

Migrant women and children

Particular attention should be given to the empowerment and protection of migrant women, as well as ensuring that they are actively involved in the formulation and implementation of integration policies and programmes. The rights, welfare and educational needs of migrant children should also be fully respected.

36. The challenges experienced and presented by different groups of international migrants vary considerably, and the Commission consequently wishes to make some observations with respect to the social circumstances of some groups that are of particular concern, beginning with migrant women and children.

Migrant women

37. Migration can be an empowering experience for women. It can entail moving away from societies with traditional and patriarchal forms of authority. It can allow women to work, to earn their own money and to exercise greater decision-making power in their daily lives. Women who migrate may also have the opportunity to learn new skills and enjoy a higher socio-economic status when they eventually return to their own country.

38. Regrettably, however, migration can have the opposite effect. Women who migrate for the purpose of marriage, domestic labour, or to work in the entertainment and sex industries are particularly vulnerable to exploitation and social isolation, as are those who are trafficked. Such problems are reinforced when migrant women

do not know the language of the country they are living in or do not have access to supportive social networks.

39. In some countries, migrant women experience discrimination in the labour market and find themselves in a situation of 'brain waste', when they have to take jobs for which they are over-qualified. In others, migrant women may be subject to dismissal and deportation if they become pregnant or become socially stigmatized if they contract HIV/AIDS. Migrant women who have moved in an irregular manner may find that their children are stateless and thus deprived of basic rights both in their country of residence and in their country of origin.

40. Evidence collected by the Commission indicates that a significant number of migrant women are at risk of violence from their spouse or intimate partner, especially in communities that are characterized by poverty, marginalization and rapidly changing gender roles. Moreover, while work, education and language skills are generally considered to be the most important avenues of inclusion, migrant women are more likely than men to remain outside of the labour market and spend most of their time at home, making it more difficult for them to establish the language skills and social networks required to integrate in their new society.

41. The Commission recognizes that all societies are characterized by gender inequalities, and that such inequalities affect migrants and non-migrants alike. The Commission underlines the need for migration policies and programmes to be gender-sensitive, to give special attention to the social situation and inclusion of migrant women, and ensure that women are empowered by the migration experience. Every effort must be made to ensure that migrant women are actively involved in the formulation, implementation and evaluation of such policies and

programmes. The organization of migrant women in countries of destination is also of importance as diaspora populations influence the way that people in their country of origin think about issues such as gender equity. In this respect, migrants can act as a force for progressive change in countries where the rights of women are generally not respected.

42. Finally, and in accordance with the Commission's conviction that people should migrate out of choice rather than from necessity, continued efforts must be made to ensure that women can exercise all of their human rights and realize their full potential within their country of origin. In too many instances brought to the attention of the Commission, women have felt obliged to leave their own country and to look for work elsewhere because they are deprived of rights and opportunities at home.

Migrant children

43. It is often assumed that migrant children adapt more quickly to their new surroundings than their parents and grandparents. While there is certainly evidence to support this assertion, it would be dangerous to conclude that the integration of migrant children is an issue that can take care of itself.

Access to education

A 2003 study conducted in Johannesburg, South Africa, a country that has social and economic rights enshrined in its constitution, found that 70 per cent of Somali refugee children were not registered at school, even though they were entitled to education. While some parents had chosen not to enrol their children, most had not done so because of their isolation from South African society. According to UNHCR, around 7,000 Somali refugees were living in South Africa at the beginning of 2005.

44. Children who are taken from one country and continent to another may be traumatized by the fact that they have left behind a familiar way of life and find themselves in a society where the language, culture and values are quite different. Migration can lead to gender and generational tensions within households, and such conflicts can impinge very directly on the health and welfare of the youngest family members. In the worst cases they can lead to violence and other forms of abusive treatment, particularly against girls and young women. As migrant and minority children grow up, they may also experience a sense of alienation and uncertainties with respect to their identity and allegiances, particularly if they encounter discrimination and xenophobia from other members of society. The children of migrants with irregular status are especially vulnerable, as they may find themselves effectively stateless and may not be able to exercise their right to education.

45. The Commission underlines the need to ensure that the rights, welfare and educational needs of migrant children are fully respected by all members of society. While integrating in a new society, migrant children should be given the opportunity to keep in touch with their country of origin and its culture. As suggested earlier, in the current era of globalization and human mobility, a growing number of migrant children will have more than one 'home' and will hold dual or even multiple citizenship, if permitted by the states concerned.

Temporary migrants and migrants with irregular status

While temporary migrants and migrants with irregular status are not usually granted the right to integrate in the society where they are living, their rights should be fully respected and they should be protected against exploitation and abuse.

46. Two other groups that present particular challenges in relation to their social situation and integration are temporary migrants and migrants with irregular status. The reluctance of certain states to contemplate the introduction of temporary migration programmes – despite their need for additional labour – has been influenced by a concern that participants in such programmes, especially those at the lower end of the labour market, will not return to their homeland when their period of employment expires.

47. The Commission recognizes the reality of this concern and acknowledges that states have a legitimate interest in treating short-term and contractual migrant workers differently from those who are accepted for permanent settlement. At the same time, and in the interests of social cohesion and harmony, it is essential to ensure that migrants who have been admitted to another state on a temporary basis benefit from the process of inclusion, in the sense that their human rights are respected; that they are protected from exploitation or abuse, and that they are able to establish convivial relationships with other members of society. The recommendations presented in Chapter One provide some specific proposals on this issue.

Migrants with irregular status

48. The Commission is aware that states are generally not prepared to consider the issues of social inclusion or integration in the context of

migrants who have entered or remained on their territory in an irregular manner. This issue may at first appear to be relatively clear-cut. For unless such migrants are able to regularize their situation in some way (in which case they can no longer be described as irregular), they are normally subject to removal from that country.

49. In practice, however, the social situation of migrants who have moved in an irregular manner cannot be dismissed so easily, because such migrants and their children have both needs that must be met and rights that must be respected. It can be argued that people who have been living in a country for long periods of time, especially if they have been working and contributing to the national economy, have some claim on the services of the state, irrespective of their legal status. The Commission is also concerned by those situations in which asylum seekers wait for years to receive a final decision on their application for refugee status, but are prevented from working during that time, even if they have skills that are of value to the national economy.

50. States must meet their obligation to provide essential services such as essential health care and the education of children to irregular migrants and their families. As proposed in Chapter Three of this report, states which tolerate and benefit from the presence of such migrants on their territory should also give serious consideration to measures that would regularize their status and thereby prevent them from becoming marginalized.

The public discourse on international migration

Those individuals and organizations that have an influence on public opinion must address the issue of international migration in an objective and responsible manner.

51. In many countries around the world, the situation of migrants in society has been jeopardized by media stories that portray members of migrant and minority populations in the worst possible light: as criminals, terrorists, and more generally as people who represent a threat to the established way of life. In some situations, ignorance and careless reporting have obscured objective reality. In the worst cases, journalists have been responsible for propagating myths and supporting the agenda of populist politicians and pressure groups that seek to mobilize xenophobia as a means of attracting popular support. Refugees, asylum seekers and migrants who have arrived in a country in an irregular manner have often been singled out for attack.

52. The Commission places great value on the existence of a free press and recognizes the danger of seeking to regulate the public discourse on international migration. Migrants, like other members of society, can be involved in crimes and anti-social behaviour, and these offences should be reported. The Commission strongly advocates a responsible debate on migration, ensuring that the reputation of people originating from other countries is not tarnished on the basis of their national origin or legal status. The Commission also acknowledges the value of voluntary codes of conduct and other self-regulatory mechanisms for the media, as well as procedures that provide a right of reply to individuals and groups of people who have been unfairly maligned.

53. Such approaches must be complemented with measures to promote integration, foster social cohesion and encourage respect for the rights of migrants. In this respect, the Commission commends those broadcasters that have demonstrated a commitment to social diversity, both in the nature of their programmes and in the composition of their personnel. Schools, migrant associations, religious bodies, trade unions and other civil society institutions also have an important role to play in influencing the public discourse on migration and ensuring that it is conducted in an objective manner.

54. Integration is not a quick, simple or linear process. It usually takes time, is subject to setbacks and may proceed more smoothly in some areas of life and less in others. It is a process that places significant demands upon nationals and migrants alike, requiring them to adapt their attitudes and to make changes to their way of life. It is also a process that warrants a significant investment, not only because of its difficulties, but also because of its economic, social and cultural rewards. With the scale and scope of international migration growing, countries and communities must seize the opportunity to make the most of their diversity.